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ILLINOIS HISTORICAL SURVEY

INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

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HISTORICAL RECORDS SURVEY
CHICAGO ILLINOIS

INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

EFFINGHAM COUNTY [EFFINGHAM]
NO. 25

Prepared by

The Illinois Historical Records Survey Project
Division of Professional and Service Projects
Work Projects Administration

* * * * *

Chicago, Illinois
September, 1940

The Historical Records Survey Projects

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FOREWORD

The Inventory of the County Archives of Illinois is one of a number of bibliographies of historical material prepared throughout the United States by workers on The Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Effingham County, is number 25 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirement of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by The Historical Records Survey Projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of The Historical Records Survey Projects even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized by Luther H. Evans and directed by him until his resignation in December, 1939, shortly after which he was succeeded by the present director, Sargent B. Child; it operates as a nation-wide series of locally sponsored projects in the Division of Professional and Service Projects, of which Florence Kerr, Assistant Commissioner, is in charge.

F. C. Harrington
Commissioner

PREFACE

The undertaking now officially designated The Historical Records Survey Projects, was initiated nationally in January, 1936, as part of the Federal Writers' Project of the Works Progress Administration, now the Work Projects Administration. In Illinois the Survey became an independent unit in August, 1936, but continued to operate as part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Professional and Service Projects. Dr. Evans resigned in December, 1939, and shortly thereafter was succeeded by the present director, Sargent B. Child. Alston G. Field and Howard E. Colgan were the first two state directors, the former serving until November 1, 1937, and the latter to May 16, 1939. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Superintendent of State Library Division, became the sponsor of The Illinois Historical Records Survey Project. On January 15, 1940, this sponsorship was assumed by the University of Illinois.

In compiling this inventory of the archives of Effingham County, the Survey has sought to locate, describe and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful in the preservation of this valuable material, and as a guide to the archives wherein may be found so much important information in the field of history, sociology, political science, and economics. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Effingham County are found the materials of another chapter in the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Illinois Historical Records Survey Project has proved to be of considerable assistance to local and county governments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Project has been planned to dovetail with the long-range plans of the State of Illinois for the care of state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as The Illinois Historical Records Survey Project is now making.

The inventories being compiled by The Historical Records Survey Projects also make possible for the first time a scientific study of the question of record destruction. Under Illinois law no records may be destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence, a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and sensible legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Preliminary work on the survey in Effingham County, the twenty-fifth on the alphabetically arranged list of the one hundred and two counties in Illinois, was started July 16, 1936, and completed as far as possible September 15. Field forms were received in Chicago on March 26, 1937, and a draft of the inventory was sent to Washington, September 14. This draft was returned October 13. Inventory forms were returned to the field December 1, 1938, and received back in Chicago, August 7, 1939. The inventory was taken by John R. Walker, Oliver K. Doney, Horace Davis, Henry A. Webb, Isaac C. Hardin, Cal Atkinson, Lee Daniels, Cecil E. Pease, and Earl W. Myers under the supervision of Kenneth C. Blood. Abstracting of county board records, upon which much of the historical material of this inventory is based, was begun November 14, 1938, by Isaac C. Hardin, Henry A. Webb, and Earl W. Myers and finished in September, 1940.

The inventory was prepared for publication by the state editorial staff of the Illinois Historical Records Survey Project at Chicago, under the direction of Herbert R. Rifkind, State Editor. The Part B was prepared by Edith Kraemer under the supervision of Martine O'Connor; the historical sketch was written by Frank Sarett under the direction of Gifford Ernest; the legal essays were compiled by Romeo Burwell; Edward J. McDonough, assisted by Dominic M. Krzywonos, supervised format and collation; and Dorothy Herold was in charge of typing, stencil cutting, and mimeographing. In addition, too much credit cannot be given to other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compilation of this inventory.

All of the officers of Effingham County cooperated in every way with the workers, and grateful acknowledgment of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration and the Illinois Writers' Project. For the cover design we are indebted to the Illinois Art Project.

The various units of the Inventory of the County Archives of Illinois will be available for distribution to the governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. Requests for information concerning particular units of the Inventory should be addressed to the State Supervisor.

Royal S. Van de Woestyne
State Supervisor
The Illinois Historical Records
Survey Project

September 27, 1940

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A. Effingham County
and
Its Records System



1. HISTORICAL SKETCH

The County of Effingham Today

Location

Effingham County, an almost rectangular stretch of territory, comprises an area of 511 square miles, according to Federal census data.¹ However, two other sources vary in the number of square miles reported. According to one of these, the area of the county is 469 square miles;² according to the other, it is 486 square miles.³

The county, which is located in the south-central part of Illinois, is bounded on the north by Shelby and Cumberland counties, on the east by Cumberland and Jasper, on the south by Clay and Fayette, and on the west by Fayette County.

Physiographic Characteristics and Geology

The general elevation of Effingham County is about 600 feet above sea level. Drainage and wind erosion have given the once unvarying flat plain, with a gentle southward slope, a rough and rolling fringe along its streams. A few knolls and ridges arising 20 to 40 feet above the level of the surrounding territory are found in the northwestern and east-central parts of the county. The rest of the county is monotonously level.

It is generally maintained by geologists that at least two of the several great glacial advances over this part of the country, reached the region which now includes Effingham County. The latter of these was the Illinoian Glaciation which completely covered the county, leaving deposits of a gravelly mass of drift varying in thickness from 20 to more than 100 feet and having a nearly level surface. "Effingham County being some distance removed from a major stream valley did not receive a very thick deposit

1. Population Bulletin First Series, Illinois, Fifteenth Census of the United States; 1930 (Washington: Government Printing Office, 1930), p. 8. Hereinafter cited as Population Bulletin, 1930.
2. E. A. Norton and Others, Effingham County Soils, Soil Report No. 48 (Urbana: University of Illinois Agricultural Experimental Station, 1931), p. 3. Hereinafter cited as Effingham County Soils.
3. History of Effingham County, Illinois, William Henry Perrin, ed. (Chicago: Published by O. L. Baskin & Co., 1883), p. 22. Hereinafter cited as Perrin, History of Effingham County.

Historical Sketch

of loess. It varies in thickness from a few inches to not more than three feet. Most of this loess was deposited during two different inter-glacial periods, the earlier known as the Sangamon, and the later as the Peorian. Between the time of the drift deposit and that of the loess enough time elapsed so that soil was formed from the drift. These old drift soils were buried by the loess . . ."¹

The predominant soil types in Effingham are gray silt loam covering 54.41 percent of the total area; yellow-gray silt loam covering 24.46 percent; eroded gravelly loam, 9.64 percent, and mixed loam, 8.11 percent. The climate is characterized by a wide range in temperature between the extremes of winter and summer and by an abundant rainfall. For the period between 1912 and 1929, the highest temperature recorded was 110 degrees which occurred in 1918; the lowest, minus 24 degrees, occurred in 1915. The average annual rainfall for the same period was 41.06 inches.²

Effingham's principal stream is the Little Wabash River which flows southwardly almost through the center of the county. Some of the tributaries of that river in the eastern part of the county are Ramsey, Bishop, and Little Bishop creeks, Salt, Little Salt, West Salt, and Green creeks. In the western part there are Fulfer, Lime, Brocket, Coon, Funkhouser, Blue Point, Moccasin, and Wolf creeks.³

The woods consist of several varieties of oak, hickory, elm, sassafras, ash, hazel, summack, ironwood, sycamore, linden, red birch and a lesser number of other varieties.

Population - Towns and Townships

The county's population in 1930 was 19,013, or practically the same as in 1890 when it was 19,358.⁴ Between these dates there was little change in population; in 1900, it was 20,465; in 1910, 20,055; in 1920, 19,556.⁵ The most marked growth in the county's population occurred during the years of nineteenth century railroad construction, foreign immigration and industrial expansion in the state. In 1860, Effingham's population totaled 7,816; in 1870, 15,658; in 1880, 18,920.⁶

The first national census which was taken in the county in 1840, showed a population of 1,675; in the next census in 1850, it was 3,799.⁷ The

1. Effingham County Soils, p. 9,10.

2. Ibid., p. 3.

3. Ibid., p. 5.

4. Population Bulletin, 1930, p. 8.

5. Ibid., p. 8.

6. Twelfth Census of the United States: 1900, v. I, Population, Part I (Washington: Government Printing Office, 1901), p. 16.

7. Ibid.

Historical Sketch

population density in 1930, was 37.2 per square mile, far below that for the state as a whole, which was 136.2.¹ A preliminary report on the 1940 census showed a notable increase in the county's population during the last decade. This increase which brought the population up to 22,015, the highest in the county's history, is attributed to the fact that Effingham is one of the ten "oil counties" in the twenty-third congressional district of the state all but one of which, Lawrence County, made substantial population gains between the last two censuses.² In Effingham itself, however, no coal or oil has been discovered thus far, although two wells have been drilled in recent years. The exceptional gain in population is no doubt due to an overflow of oil field workers from the overcrowded surrounding towns of the oil producing counties.

The most populous community in the county is its namesake, the county seat, with a population in 1930 of 4,978.³ Next in size of population for the same year, is the city of Altamont, with 1,225 inhabitants. Then come the following villages: Teutopolis, with 710 inhabitants, Edgewood, with 492; Dieterick, with 488; Mason, with 328; Beecher City, with 321; Montrose, with 309; Watson, with 286; and Shumway, with 178.⁴

Effingham, which since 1861 has been under the supervisors' system of county government, is divided into the following fifteen civil townships: Banner, Bishop, Douglas, Jackson, Liberty, Lucas, Mason, Moccasin, Mound, St. Francis, Summit, Teutopolis, Union, Watson, and West.⁵

The County's Economy

The county is predominantly agricultural. Of the approximate area of 327,040 acres, 85.1 percent was farm land in 1935, consisting of 2,255 farms, with an average acreage of 123.4. The rural farm population of the county in 1930 was 9,140 or 48.1 percent of the total.⁶

The largest single crop raised is corn, which accounted in 1939 for 20.3 percent of the total cultivated land; 4.9 percent was under winter wheat; 7.8 percent under spring grains; 16.9 percent in hay, and 31.3 percent was pasture land.⁷

1. Population Bulletin, 1930, p. 8.
2. "Oil Counties Show Increase in Population," Chicago Daily News, July 17, 1940.
3. Population Bulletin, 1930, p. 17.
4. Ibid., p. 17.
5. Ibid.
6. Information Pertaining to Farm, Home and Community (Urbana: University of Illinois College of Agriculture, Agricultural Experimental Station and Extension Service in Agriculture and Home Economics, 1936), p. 2,3. Hereinafter cited as Farm, Home and Community.
7. Ibid., p. 16.

Historical Sketch

In fertility the land is lower than the average for the state. This is indicated in the following tabulation of average crop yield over the ten-year period, 1924-1933, for the county and the state:

	Effingham	Illinois
Corn, bushels per acre	24.2	34.9
Winter wheat, bushels per acre	13.0	16.4
Spring wheat, " " "	13.7	18.1 ¹

In the matter of farm mortgages and taxes Effingham County is somewhat better off than the average for the state as a whole. The percent of owner-operated farms mortgaged in the county in 1930 was 34.1; in the state, 41.3. The average mortgage debt per farm mortgaged in the county was \$2,106; in the state, \$6,182. Average taxes on land and buildings per acre in the county in 1929 was \$0.61; in the state, \$1.15.²

The number of automobiles on farms in the county in 1930 was 1,551; motor trucks on farms, 117; tractors on farms, 290. Of the total farm land, 60.4 percent was operated by owners; 39.4 percent by tenants; 0.2 percent by managers. The total value per farm was \$4,902, or \$37.87 per acre.³

In 1933, there were fifteen manufacturing establishments in Effingham County, employing an average of 531 wage earners, whose total earnings for the year was \$320,214. The total value of manufactured products for the year was \$1,090,535.⁴

Most of these establishments are concentrated in or near the city of Effingham. They manufacture shoe lasts, heels, golf clubs, food products, hardwood lumber, gloves, road machinery, wooden butcher-blocks, church furniture, and fixtures. Besides these industries there are in the county a seed cleaning plant, and a flour mill.⁵

Transportation

Rail transportation is well provided. Two railroad trunk lines, the Illinois Central and the Pennsylvania, intersect at the city of Effingham; and branch lines of the Wabash, the Baltimore and Ohio, and the Chicago and Eastern Illinois also operate in the county. In addition, auto truck transportation has been developed into extensive usage for local and long dis-

1. Farm, Home and Community, p. 17.

2. Ibid., p. 53.

3. Ibid., p. 52,53.

4. Biennial Census of Manufacture, 1933, Illinois (Washington: Department of Commerce, Bureau of the Census), p. 8. (Mimeographed)

5. Directory of Newspapers and Periodicals, 1940, J. Percy H. Johnson, ed. (Philadelphia: N. W. Ayer and Sons, Publishers, 1940), p. 224,225,252.

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tance hauling. The roads of the county cover 995 miles, 185 miles of which are state-aid roads.

Early Settlement and Establishment as a County

First Settlers

In 1814 or 1815, Griffin Tipsword (his family name was Souds, but he called himself Tipsword after he migrated to Illinois) came from Virginia to this part of the state and settled among the Kickapoo Indians adopting their mode of life. This tribe then occupied what at present comprises parts of Effingham, Fayette, and Shelby counties.¹ Next came Isaac Fancher and family in 1825, followed by Ben Campbell, and Jesse and Jack Fulfer in 1826. Two years later came Thomas I. Brockett and family, Stephen Austin, Richard Robinson, John McCoy, Robert Moore, and Richard Cohea, among others. Most of the early settlers came from Tennessee and Ohio. Settlements were started in Blue Point on Fulfer Creek, the Wabash River, on Brockett's Creek, and in the present Union Township. In 1829, the Federal government commenced work in this county on the Cumberland Road and in due time built a bridge across the Little Wabash River. Many of the early pioneers, prior to and after organization of the county, came over this road to settle in Effingham.

Creation of the County

By the end of 1830, there were fifty-one families in the Effingham region, and there was a movement under way to form it into a separate county. The bill to put this into effect was sponsored by General W.L.D. Ewing, then a leading lawyer of Vandalia, William Linn, and Joseph Duncan.² This bore fruit. An act establishing the counties of Jasper and Effingham was approved by the legislature on February 15, 1831. First, the act defined the boundaries of Jasper; then it proceeded to delimit Effingham County as follows: South from the northwest corner of Jasper to the line between towns 5 and 6 north; thence west to the line between ranges 3 and 4 east of the third principal meridian; thence north to the northwest corner of section 19, town 9 north, 4 east; thence east to the northeast corner of section 24, town 9 north, 6 east; thence south to the southeast corner of town 9 north, 6 east; thence east to the line between ranges 7 and 8 east; thence south to the beginning "shall constitute a new county, hereafter to be

1. The Old Settler's Bulletin published by C. F. Coleman, Historian (Effingham, September 7, 1935), v. I, No. 1. Hereinafter cited as Coleman, Old Settler's Bulletin.
2. Perrin, History of Effingham County, p. 16, 18, 39, 78; Coleman, Old Settler's Bulletin.
3. Perrin, History of Effingham County, p. 61, 37.

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organized, to be called the county of Effingham, and the county seat thereof, when selected and located, shall be called by such name as the commissioners . . . shall designate."¹

The act named John Halcy, James Galloway, and John Hall commissioners to locate the seat of justice for Effingham in the following quaint manner: "The said commissioners, or a majority of them, are hereby required to proceed the said commissioners respectively, at any time they may agree upon, previous to the first day of November next, and with an eye to the best interest of said counties, shall select a suitable place for the seat of justice . . ." The commissioners were empowered to receive for county purposes, a donation of not less than twenty acres of land, or in lieu of land, a sufficient sum of money for the erection of county buildings. It was further stipulated in the act that when the selection of land shall have been made, the commissioners for Effingham "shall report their proceedings to the recorder of Fayette county, who shall receive and keep the same . . . until the said counties shall be organized."² This is the only reference in the act to Fayette from which most of Effingham was formed; the rest of it, a small area, was taken from Crawford County.

Organization of the County³

The First Administrative Body, the County Commissioners' Court

On December 20, 1832, a year and ten months after the county was formally established, the legislature approved an act to organize the county government of Effingham. The act specified that an election for three county commissioners, one sheriff, and one coroner be held in the town of Ewington, and at the house of Thomas I. Brockett "on the first Monday in January next." Jacob Slover, John Loy, and Levi Jordan (Jordon) Jr., were designated to serve as judges of election at Ewington, and William Thomason, William Brockett, Jonathan Parkhurst to serve in the same capacity at Thomas I. Brockett's house. Effingham was attached to the fourth judicial circuit to vote with Fayette in the election of state representatives, and with the counties of Fayette, Marion, and Clay in senatorial elections.⁴

1. L.1831, p. 51.

2. Ibid., p. 51,52.

3. This part of the Sketch, which is based on material gathered from the supervisors' records, deals with the administrative functions of the commissioners' and county courts, and boards of supervisors of Effingham County for the first thirty-odd years subsequent to its organization.

4. L.1833, p. 22,23.

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The original county seat, Ewington, was given that name by the locating commissioners in honor of W.L.D.Ewing. Effingham was named after Lord Edward Effingham who in 1775 resigned his commission as General in the British Army, refusing to serve in the war against the colonies.¹

At the election authorized by the foregoing act, Theophilus W. Short, Isaac Fancher, and William I. Hankins were elected the first county commissioners, and they proceeded to organize the court at Ewington at a special session held on January 21, 1833. At this meeting the only business transacted was the appointment of Joseph H. Gillespie as county clerk, and the administering of his oath of office.²

The second session was held on February 4. The court ordered the division of the county into two justices districts, or election precincts, the polling place of one being Ewington, with the same judges who acted in the first election. The house of Thomas I. Brockett was designated as the voting place in the second district, with John Martin, William Brockett, and William Thomason as election judges.³ The court ordered an election for two justices of the peace and two constables to be held on March 2, 1833. John Funkhouser was issued a license to vend goods, wares, and merchandise for which he was charged \$5.00 for one year.⁴

The court met next on March 4 to accept a donation to the county of twenty acres of land in Ewington, made by James M. and Joseph Duncan. The county surveyor was ordered to lay out the land into lots, and a commission consisting of Robert Moore, George D. Neville, and S.R. Powell was appointed to place a value on each of the lots, and make a report to the court not later than the first of May next. "And if Said Lots so valued does not bring the price as agreed upon by Said Commissioners when offered for sale it shall be no Sail."⁵ The lots were to be offered at a public sale on terms of three equal installments, payable in six, twelve, and eighteen months, the purchasers to give security. Arrangements provided for the sale to be advertised for four weeks in the Illinois Advocate of Vandalia.⁶

1. Counties of Illinois, Their Origin and Evolution, compiled and published by Edward J. Hughes, Sec. of State (Springfield: Printed by Authority of the State, 1934), p. 65. Hereinafter cited as Counties of Illinois.
2. Commissioners' Record, v. A, p. 1.
3. Ibid., p. 2 (for the first years of the county's existence, names which appear in the county records are spelled differently in different entries. In this sketch, the spelling which appears in the official roster of county officers, or as it is most frequently used in the record, will be followed).
4. Ibid.
5. Ibid., p. 3.
6. Ibid.

Historical Sketch

The county was divided into three road districts as indicated in the following statement, which, in addition to giving the boundaries of these districts, also named the supervisor selected for each of them. It was provided that, "All that Section of County lying North of Township line dividing Nos. 7 and 8 shall constitute the first District and that Andrew Bratton be appointed Supervisor of all the roads in Said Districts. All that part laying South of said last mentioned line and north of the Township line dividing Townships 6 and 7 shall constitute the Second Road District and that Jonathan Parkhurst be appointed supervisor of all roads in the Said District. And all that part lying South of the last mentioned to the County line shall constitute the third Road District and that John Broom be appointed Supervisor of all the roads in Said District."¹ A commission of three was appointed to view and mark a cart road leading from Ewington in the direction of Samuel Wetherspoon's mill in Shelby County. John Loy was appointed county treasurer, executing his bond with Joseph Loy and William Stephens as sureties, "and took the oath of office as prescribed by the 9th Section of an Act to provide for raising a Revaneur."² The treasurer was ordered to pay thirty cents to the county clerk for postage, and one dollar to each of the county commissioners, the clerk, and constable John Broom, for services rendered at this term.³

In April the court met and appointed as grand jurors for the circuit court, which was to be held in Ewington in May, Seymour R. Powell, Martin Davenport, John Ganaway, John P. Farley, James Levitt, James Hudson, Newton E. Tarrant, Stephen Austin, John Martin, Levi Jordon, Thomas I. Brockett, Robert Moore, Samuel S. Read, John Trapp, Hickman Lankford, Kenneth Odam, Alfred Warren, James Martin, James Neal, Harrison Higgs, Charles Ghilky, Levi Self, and James White.⁴ The petit jurors were Uriah Moore, Benjamin Moore, Thomas Williams, John Mitchell, John George, Jacob Slover, Andrew Martin, James Howell, Richard Clark, John Maxwell, Duke Robertson, James Porter, Jesse Fulfer, John K. Howard, John Allur, Joseph Nesbitt, Jesse White, Amos Martin, Andrew Lilly, Daniel Williams, Henry Tucker, William Tibles, Enoch Neville, and Michael Robinson.⁵ Before adjournment, the court imposed a one-half percent levy on taxable property for county revenue for 1833.⁶

On June 3, the court met at a regular term. Constables John O. Scott and Levi Rentfrow were charged with the collection of \$23.00 in fines. A license was issued to Eli Cook to sell merchandise in the county for which he was charged \$5.00, and a license to John Conventry to keep a tavern was

1. Commissioners' Record, v. A, p. 4.
2. Ibid., p. 3,4.
3. Ibid., p. 4.
4. Ibid., p. 5.
5. Ibid., p. 5,6.
6. Ibid., p. 6.

Historical Sketch

issued for a fee of \$10.00. William Linn was allowed \$6.25 in part payment for a book furnished the county clerk.¹ The same day, county surveyor William Hankins presented to the court a detailed report on the sale of lots in Ewington with the names of the purchasers. Altogether, twenty-two lots were sold for a total of \$538.12 1/2; the highest price paid was \$64.00, the lowest, \$7.00. For his services as surveyor, Hankins was paid \$10.50. I. M. Short, and John H. Gillespie were each allowed \$1.00 for driving stakes in the survey lots, and Seymour R. Powell was paid \$4.00 for his services as appraiser, and for "Crying the Sail of lots." An additional sum of \$1.87 1/2 was paid to I. M. Short for whiskey furnished at the sale.²

The following day the court ordered that a session be held on June 15 for the purpose of contracting for the erection of a jail and courthouse. Payments of fifty cents each were made to the judges and clerks of the March election, and the court clerk was allowed for "clerking on the day of Lot Sale \$1.50, ordering Bonds 50 cents, 2 quires of paper for to make Record Books fifty Cents, Rent of house for holding Circuit Court on the 20th day of May, One Dollar and fifty cents."³

Erection of Public Buildings

A jail was the first public building to be contracted for and completed. The original contract and specifications for this structure are missing from the records, and it is not clear from the entries, why so many individuals were connected with its erection, nor who the actual builders were. On December 3, 1833, the court allowed to Ezra Baker \$103 in part payment for building the jail "as per order of Levi Jordon and James Neal the original contractors."⁴ Four days later, the commissioners "having had rendered consideration the propriety of receiving the Jail as contracted for the Commissioners with Lewis (sic) Jordon and James Neal, believe that it is built according to contract . . . signed by Said Levi Jordon, James Neal, Ezra Baker and John Funkhouser the same appearing to have been built by John Funkhouser. Ordered that Ezra Baker be allowed the sum of Three hundred and ninety Six Dollars it being the Ballance in full for building the Jail of Effingham County, by the order and vouchers of Levi Jordon and James Neal who was the original contractors for building said Jail with ten Companions the same being built by John Funkhouser and received according to contract."⁵ In 1834, a certain Charles Lewis was lodged in the new jail for horse thieving. Apparently, however, confidence in the structure was weak since the county retained during that year, and part of 1835, a total of twenty men to guard the prisoner.⁶

1. Commissioners' Record, v. A, p. 7.

2. Ibid., p. 89.

3. Ibid., p. 10,11.

4. Ibid., p. 22.

5. Ibid., p. 24.

6. Ibid., p. 12,35,38,49.

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In March, 1834, the court ordered that bids be accepted for the erection of a stray pen on the northwest corner of the public square. The pen was to be sixty feet square, the posts of hewn mulberry, the railing of white oak timber six inches wide, either hewn, sawed or split.¹

The courts were being held in the houses of John C. Sprigg and William McConnell while the erection of the first courthouse was pending.² As in the case of the jail, neither the contract nor the specifications of the building were entered into the records. Minutes of the session of March 5, 1834, reveal that William I. Hankins and James Cartwright were the original contractors.³ In December, however, they petitioned the court for release from the contract into which they entered on December 14, 1833, and thereupon the court ordered the county clerk to advertise for bids which were to be examined in January, 1835.⁴ At the March term of the latter year, James Cartwright and Theophilus W. Short appeared with their sureties, William Hankins and Miner Winn, and posted a bond of \$1,177 as their obligation to execute a contract for building a courthouse. The following May the court, at a special term, "ordered that the Courthouse in the Town of Ewington as Bilt by Messrs. Jas. Cartwright and Theophilus W. Short is done according to contract and that the commissioners do receive the same as done according to agreement."⁵ The contractors were allowed the sum of \$580.97 $\frac{1}{2}$ in county orders in full payment for the work.⁶

Administration of General County Business

The first court, which had put in a year and a half in organizing the county, was superseded in the election of August, 1834, by a new court; it was composed of commissioners John Martin, William Freeman, and Eli Cook.⁶ The following year, William I. Hankins, who was active for many years in the county in various official capacities, was appointed county clerk. Silas Barnes was appointed clerk in 1836, and in 1837 when the office by an act of the legislature became elective,⁷ he was elected to that post.⁸

On March 1, of the same year, the legislature approved an act lengthening the term of county commissioners to three years, but providing that the first three commissioners elected under the act in 1838 were to draw lots for one, two, and three years to determine length of term; thereafter, one com-

1. Commissioners' Record, v. A, p. 28.

2. Ibid., p. 29,33.

3. Ibid., p. 29.

4. Ibid., p. 36.

5. Ibid., p. 41,43.

6. Ibid., p. 12.

7. L.1837, p. 49.

8. Commissioners' Record, v. A, p. 44,63,77.

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missioner was to be elected each year for a three-year term. At a session held September 3, 1838, the newly elected commissioners assembled for the ceremony. "Now at this day came Sen. Presley Funkhouser, Isaac Slover and Thomas I. Gillenwater in their own proper persons and severalely presented thare certificates of election as county coms. of said county which said certificates is approved of in open court and afore said persons so elected is solemnly sworn in to office as the law directs." The clerk, William I. Hankins, presented the three tickets and Gillenwater drew the one marked three years, Funkhouser, the two-year term ticket, and Slover, the one-year

In 1837, the legislature passed the famous Internal Improvement Act, by which it was hoped to increase the prosperity of the state by building through it networks of railroads and canals. A special fund of \$200,000 was appropriated and marked for distribution among those counties in which neither a railroad nor canal was to be built, the money to be applied to the construction of bridges, roads, and other public works. At a court session in December, 1837, John Funkhouser was appointed special agent for Effingham County with authority to receive from the Fund Commission of the state the money due the county. Apparently the county commissioners overestimated the amount of the county's share, since they put their agent under a bond of \$20,000.²

For some reason, which is not made clear in the records, Funkhouser failed in his mission, and at a special session held in October, 1838, John Loy was appointed agent to make the collection of \$2,637.50, the amount designated by the Fund Commission for Effingham County. "In the event the agent gets the above sum of monies it is ordered that the clerk call a court and notify the people of the day of court by posting up written notices on the Publick Places in said county ten or fifteen days previous to the day of court . . . and the said notices shall state the amount to be expended after paying the county debt."³ This was to satisfy the general interest in the uncommon experience of a monetary gift from the state.

Finally in March, 1839, John Loy reported to the court that he had made the collection in full and that he had turned the money over to the treasurer. Whereupon he was allowed the sum of \$8.12 $\frac{1}{2}$ for his services as agent, including his trip to Vandalia.⁴ In subsequent years, the county repaid, in special taxes levied to liquidate the internal improvement debt, many times the sum it had received from the state.

1. Commissioners' Record, v. A, p. 101.

2. Ibid., p. 83,84.

3. Ibid., p. 111.

4. Ibid., p. 124.

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Roads

During the first year of the county's existence as an administrative unit and on through its early formative years, a great part of the attention of the county board of Effingham County was centered on the laying out of roads and the building of bridges. At every meeting petitions for roads were presented by citizens and acted on by the board.

A comprehensive road law for the state was approved by the legislature on February 12, 1827,¹ which vested in the county commissioners' courts the superintendency of the public roads within their counties. By the provisions of this law, the county commissioners were given the responsibility and empowered to establish road districts and appoint supervisors at every March term or soon thereafter. The supervisors had the authority to call upon every able-bodied male person between the ages of 18 and 50 residing within his district, to perform the necessary labor upon the roads and bridges and to keep them in repair. A fine of seventy-five cents a day was imposed on those refusing road work, and a supervisor refusing to accept his appointment was subject to a fine of \$5.00; for neglect of his duties he was liable to be indicted and fined from \$3.00 to \$20.00. His only compensation was exemption from militia duty and jury service.

Roads were to be not less than 30, nor more than 50 feet wide; bridges did not need to exceed 16 feet in width. Roads were to be opened when petitioned for by at least thirty-five voters, who were required to deposit with the county clerk a sufficient sum of money to pay the viewers in the event of unfavorable report by them. If their report favored establishment of the road "viewed," the deposit was returned. The county commissioners were to appoint three viewers to pass upon each road applied for.²

A typical petition for a road and the action of the court in response - quaint spelling, syntax, capitalization, lack of punctuation, and all - appear in the minutes of the March 5, 1838, session: "Whereupon John Martin Presented the Petition of Sundry Citizens of Effingham County pray the Court for the location of a County Rode from Ewington to the County line in the direction to intersect the Old State rode leading from Benjamin Biships to Thomas I. Brocketts at or near the part where the same leaves the timber of Bishop Creek and having deposited with the clerk money sufficient to pay the expense of the same providing the Reviews report unfavorable to said Rode and it is therefore ordered that Joseph Thomason, John Martin and James Turner be and they are hereby appointed reviewers to view said rode on the nerest and best rout doing as

1. R.L.1827, p. 340.

2. Ibid., p. 340-46.

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little damage to farmers as possible whose duty it is maid to mark the same through the timber by blassing trees on and near the line an in the periarra (prairie) by setting stake at a reasonable distance so that they can be seen from one to the other . . ."1

The increasing population in the fifties and sixties, the establishment of new settlements, the building of railroads, and the change in county seats gave rise to many petitioners asking for relocation of the old roads to suit the changed conditions.

The agitation in the latter part of the century for state-aid hard roads was strongly opposed by citizens of Effingham County for reasons which were vigorously stated in a resolution by the county board. This resolution which was communicated to other counties in the state read in part: "Whereas, great efforts are being made at present by interested manufacturers of bicycles, automobiles and bicycling clubs and others to obtain State Aid for the purpose of constructing hard roads . . . and Whereas, the farmers of the State of Illinois have already overburdened themselves with taxes in order to secure the construction of railroads and other means of transportation of the products of their farms; therefore be it Resolved that it is the sense of the farmers of Effingham County that the whole agitation for State Aid in construction of hard roads in the interest of farmers is a fraud, a gross falsehood and an imposition upon the farmers of the State, and only in the interest of a few manufacturers . . ."2

Bridges

Soon after the money from the internal improvement fund was obtained, the county began an active campaign of bridge building over the Little Wabash and the many creeks. The contractors most frequently mentioned in the records are James Cartwright, Lawson Graham, and David Kushner. The bridges, flimsy wooden structures costing from \$100 upward, were often destroyed by the spring overflows. For a number of years contracts for rebuilding these bridges were awarded at the March sessions of the board.3

1. Commissioners' Record, v. A, p. 89,90. For more petitions for roads, reports of viewers, establishment of road districts, and conscription of road labor, see p. 40,46,47,60,97,125,134,156,280,333-65; *ibid.*, v. B, p. 7,9,73,75,82,176,222,340,410,568; *ibid.*, v. C, p. 12,34,46, 49,67,69,72,73,95.
2. Livingston County Supervisors' Record, v. G, p. 286. This communication was endorsed by the board of Livingston County at a session held in February, 1900.
3. Commissioners' Record, v. A, p. 119,121,122,130,132,150,151,170,177, 328.

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In 1847 the legislature authorized the county to build a toll bridge over the Little Wabash at Ewington, where the Cumberland Road crossed the river.¹ After its completion in 1850, the bridge was leased to John H. Knagge. He was required to pay nothing except \$2.50 for a yearly license to collect tolls, but he assumed the responsibility of keeping the bridge in repair at his own expense. Tolls were to be collected only from non-residents of Effingham County.² Six years later the county court repossessed the bridge and abolished the toll fees.³

In response to petitions of citizens, the board, at a special session held March 30, 1861, arranged for the erection of six bridges in exchange for swamp lands. The builders were given the right to select the lands from any swamp area not otherwise appropriated. Four of the bridges were to be built for forty acres of land each, and two bridges for eighty acres each.⁴

In 1850, Congress had granted swamp lands to the states in which they were situated.⁵ In Illinois the legislature put the lands, thus acquired, under the jurisdiction of the county governments, with the stipulation that the funds realized from their sale be used for the building of roads and bridges, and for the promotion of education, or for "such other purposes as may be deemed expedient by the courts."⁶ In September, 1852, the court appointed John M. Woods as drainage commissioner for Effingham, and accepted his bond of \$10,000.⁷ When Woods removed from the county five years later, he was succeeded by William B. Cooper.⁸ In 1859, the county surveyor reported to the court that there were 1,868.97 acres of swamp lands belonging to the county, valued at from \$3.50 to \$6.50 per acre. The court ordered that all this land, except 40.80 acres be offered for sale by the drainage commissioner at the appraised value.⁹ Up to June, 1865, money derived from the sale of these lands amounted to \$7,086.45, and the estimated value of swamp lands remaining unsold was \$640.00. In 1864, part of these assets were set aside for construction of a new jail.¹⁰

Railroads

Behind the few formal entries in the county records regarding railroads is hidden the epic drama of railroad construction in Illinois with

1. Commissioners' Record, v. A, p. 412-14.
2. Ibid., v. B, p. 10,35.
3. Ibid., p. 372.
4. Ibid., v. C, p. 133,134.
5. 9 U.S.S.L. 519.
6. L.1852, p. 178-86; L.1857, p. 122; L.1859, p. 201,202.
7. Commissioners' Record, v. B, p. 86,87.
8. Ibid., p. 472.
9. Ibid., p. 576,610-12.
10. Ibid., v. C, p. 355,447.

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its profound effect on every phase of life of the inhabitants. Incidentally, because the railroads passed up Ewington, this once thriving town declined, lost its position as county seat to Effingham, and was ultimately abandoned altogether.

The first mention of railroads in the county records concerns the subscription by the county to railroad stock. It was in part by this method that railroad construction was financed. At the term of the county court (county board) in September, 1850, the court issued this order: "Whereas the commissioners for taking subscription to the Capital Stock of the Mississippi and Atlantic Railroad Company have applied to the judge of the County Court of Effingham County . . . to subscribe for stock of said company in behalf of and for the County of Effingham, it is therefore ordered that the judges of the County Court proceed to give notice to the citizens to vote for or against said subscription . . ."¹ In November, 1854, the citizens voted in favor of the subscription to \$30,000 worth of stock in that company.² As an added inducement, this railroad was granted, "free from all molestation whatsoever," the right of way, one hundred feet in width, on and across all the swamp and inundated lands belonging to the county.³ In 1865, the board of supervisors adopted a resolution to subscribe to \$60,000 worth of stock in the St. Louis, Vandalia and Terre Haute Railroad on the condition, among others, that the proposed road bed be located and built through the entire length of the county from east to west, and that at least ninety percent of the money be expended in the county.⁴

The practice of financing railroad construction by local governmental bodies, which, in many cases, resulted in considerable losses of public money, was ended by a provision in the Constitution of 1870. That provision read in part that "no county, city, or town, township or other municipality shall ever become subscriber to the capital stock of any railroad or private corporation, or make donation to, or loan its credit in aid of such corporation."⁵ The resolution which introduced this important provision was offered to the convention by Beverely W. Henry who was the delegate from the thirteenth district - the district composed of Effingham and Fayette counties.⁶

1. Commissioners' Record, v. B, p. 26.

2. Ibid., p. 227,250.

3. Ibid., p. 94.

4. Ibid., v. C, p. 444,445.

5. Constitution of 1870, separate sec., "Municipal Subscriptions to Railroads and Private Corporations."

6. Journal of the Constitutional Convention of the State of Illinois (Springfield: State Journal Printing Office, 1870), p. 186.

Changes in Government - Relocation of County Seat

For the first six years, the two voting precincts formed in 1833 were sufficient for the small population of the county. In 1839, a third precinct was formed of all that part of the county lying west of the Grand Prairie and north of the Cumberland Road, with arrangements to hold elections in the house of Isaac Tipsword.¹ In 1841, petitions asking for the formation of a fourth, and a fifth precinct, the latter to be called the German precinct, were granted by the court.² Freemanton precinct was formed in 1843, the seventh or Ramsey precinct in 1844, and three years later one more was added. In June, 1860, shortly before the county was divided into townships, two more precincts were formed.³

The increasing population in Illinois during the middle forties and later, largely derived from New England and the northern seaboard states, reinforced by enlightened north European immigrants, resulted in agitation for a new state constitution more suitable to the time and the people. This second state constitution, adopted in 1848, abolished the county commissioners' courts and substituted a county court, which when sitting in an administrative capacity consisted of a county judge and two associate justices; the county judge sitting alone performed the judicial functions of the court. At the same time, the constitution ordained that the General Assembly should provide by law for optional township organization modeled on the New England plan.

Among other provisions in the constitution was one prohibiting the formation of new counties with areas of less than four hundred square miles, and another changing the election date from the first Monday in August to the Tuesday after the first Monday in November. This change was made at the demand of farmers for whom the interruption during the harvesting season in August was a serious inconvenience.⁴

For the first eleven years under this constitution, Effingham was governed under the county court system. The first court, elected in November, 1849, met on December 13, of that year, and was composed of William I. Hankins, county judge; John Broom and Newton E. Tarrant, associate justices; Daniel Rinehart, clerk; John S. Kelly, deputy clerk; and Samuel B. Parks, sheriff.⁵

Ewington prospered as the county seat and the busiest town in Effingham until it became certain that it would be deprived of a railroad outlet. A movement then began for relocation of the county seat. The towns

1. Commissioners' Record, v. A, p. 134.

2. Ibid., p. 219, 230, 231.

3. Ibid., p. 290, 317, 402; v. C, p. 53, 54.

4. Constitution of 1848, Art. VI, sec. 9.

5. Commissioners' Record, v. B, p. 1.

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of Effingham and Broughton, which were adjoining at the time, had the strongest following in the county, and the legislature, responding to a petition of a majority of the citizens, approved an act on February 18, 1859, authorizing an election to determine the choice of a new county seat.¹ A special election held in September, 1859, resulted in the choice of Effingham by a slight majority.² Samuel W. Little and David B. Alexander, owners of land in Broughton, offered to deed property to the county free of charge for a site for the public buildings. In addition, Little, together with John M. Mette, George Wright, George M. Scoles, John J. Funkhouser, and William B. Cooper, undertook to build a courthouse as a gift to the county.³ On December 12, 1860, the court accepted the courthouse as completed, formally declared Effingham as the county seat, and ordered the removal of the county and circuit court records to the new county seat.⁴

In June of the same year, a petition signed by 215 legal voters was presented to the court by B. T. Kagay asking that the question of township organization be submitted to a vote as provided for by the legislature.⁵ At the election held November 6, 1860, the township form of government was chosen; and at the December term, the court appointed Robert H. McCann, John F. Waschefort, and Isaac L. Leith commissioners to divide the county into townships.⁶ The towns that were formed, the names for which were chosen by the inhabitants, were West, Union, Mason, Lucas, Bishop, Watson, Jackson, Mound, Moccasin, Summit, Douglas, St. Francis, and Liberty.⁷ In 1863, Teutopolis Township was carved out from the eastern part of Douglas;⁸ and in 1874, a strip was taken from the northern part of Summit, and designated Perry Township thus making in all the present total of fifteen townships.⁹ The same year, the state auditor informed the board of supervisors that there was a Perry Township in Pike County, and the name was changed to Banner.¹⁰

The board of supervisors met for the first time on April 22, 1861. This board was composed of William Gillmore, William D. Moore, Ashley Tipsword, Thomas D. Tennery, David Leith, Jethro Herrold, U. C. Webb, Calvin Summerman, John Monday, John F. Kroeger, William D. Lake, James

1. L.1859, p. 43.

2. Commissioners' Record, v. C, p. 43.

3. Ibid., p. 44.

4. Ibid., p. 93,94.

5. L.1849, p. 190; L.1851, p. 38; L.1857, p. 183; Commissioners' Record, v. C, p. 62,63.

6. Commissioners' Record, v. C, p. 106.

7. Ibid., p. 139.

8. Ibid., p. 302,303.

9. Supervisors' Record, v. E, p. 4,6.

10. Ibid., p. 14,20.

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Beard, John F. Werman, John J. Funkheuser. David Leith was unanimously elected chairman for the ensuing year. The first business of the board was an order to the clerk to procure for each township a supervisor's cash book, a town record, an estray record, a record of marks and brands, highway blanks for each road district, and fourteen copies of township laws.¹ Before adjournment, a set of twenty rules for the conduct of the board was adopted, and five standing committees were named to deal, respectively, with finance, claims, equalization, roads and bridges, and public buildings.²

The County's Finances

During a number of the early years, most of the financial transactions of the county were made by means of county orders instead of currency or hard money which was scarce. In March, 1834, John Loy, the treasurer, made his first return to the court of tax collections for 1833 which amounted to \$53 in county orders. These were canceled and ordered burned in the presence of the court. This was the accepted method of disposing of them once their round-trip journey from and to the court, and their functions had been fulfilled.

The treasurer presented a complete list of the county's taxpayers which comprised twenty names, and the respective amounts of their assessments. The highest tax paid by any individual was \$12, the lowest and most common was fifty cents.³ For 1834, the tax rate was set at one-half percent on all personal property. There was no real estate tax except on the town lots in Ewington which had been sold; these were to be taxed at the same rate on their selling price.⁴ The treasurer's bond was set at \$1,200, and he was allowed \$18 for assessing the tax.⁵

In 1834, the tax yield amounted to \$73.20^{1/2}. In addition, Treasurer Loy collected \$238.60 1/3 on notes due the county for the Ewington lots, and \$48 in fines and licenses.⁶

The first businesses in the county required to operate under license were: general stores selling "goods, wares and merchandise," peddlers of clocks, and taverns, also called grocery stores. The taverns, which besides selling alcoholic beverages also served the important public function of selling food and accomodation for travelers, were required to charge not above the maximum rates established by the county board. The

1. Commissioners' Record, v. C, p. 139.
2. Ibid., p. 140,141.
3. Ibid., v. A, p. 25,26.
4. Ibid., p. 28.
5. Ibid., p. 30,35.
6. Ibid., p. 39,40.

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Effingham board established tavern rates in 1834 at not more than 25 cents "for a meal of vituels," 25 cents for horse feed, lodging for one night 12 1/2 cents, 25 cents for a quart of whiskey, and 12 1/2 cents for a half pint, 50 cents for a quart of brandy, wine, gin, or rum, and 18 3/4 cents for a half pint of these last.¹

In 1838-39, a colony of Germans from Ohio bought land in the present Teutopolis township of Effingham County. This sudden increase in population was reflected in tax collections, which in March, 1839, rose to \$1,267.71 1/2. The treasurer's bond was set at the disproportionately high figure of \$20,000.² The same year, the court ordered a levy of twenty cents on a hundred dollars of personal property as a state tax, and appointed, in compliance with an act of the legislature, two assessors and a collector.³

When the county court took over the administration of the county in December, 1849, it proceeded to examine the fiscal status of the county, "and upon a thorough and full examination of the books and records of the late county commissioners' court found the statements, substantially correct."⁴ It was found that the county was indebted for the sum of \$9,464.81, while the total assets available were only \$2,440.00.⁵ For 1850, the county tax was set at four mills on the dollar, and for the first time, a special tax of one-half mill was levied for the support of the poor and for the acquisition of a poor house and farm.⁶

In a further examination of the collector's books in December, 1850, the court found that the valuation of the personal property of the county amounted to \$107,173.00, and of the real estate to \$133,154.25, making a total of \$240,327.25, the value of the county's taxable property. Upon this property the state tax collected was \$1,393.89, the county tax \$961.31, and the poor tax \$360.49.⁷

The land boom in the fifties brought about by railroad construction and immigration, resulted in considerable changes in the county's fiscal affairs. For example, the valuation of the county's taxable property rose in 1852 to \$413,200.00, or almost double the 1850 valuation. The bonds of the collector and treasurer were set at \$12,000.00 and \$10,000.00 respectively. The total amount of taxes collected in 1852 was \$4,558.97, of which \$826.40 went to meet payments on the old internal improvement debt, and \$619.80 as interest on the same debt.⁸

1. Commissioners' Record, v. A, p. 30.
2. Ibid., p. 85,86,123.
3. Ibid., p. 131.
4. Ibid., v. B, p. 6.
5. Ibid., p. 4.
6. Ibid., p. 10.
7. Ibid., p. 31.
8. Ibid., p. 97-99.

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Property values and tax collections continued their rapid upward climb during the years which followed. In 1853, the total taxable property was valued at \$778,209.00; total taxes collected amounted to \$7,730.16. This included an insane hospital tax, and a tax for the support of an institution for the blind.¹ Collections totalling \$959.46 were made in county orders, some of them dating as far back as 1834.²

In 1857 the property valuation rose to \$1,175,506.00; and the collector was ordered to post a bond of \$35,550.00. A state school tax, imposed for the first time that year, yielded \$2,351.01.³

The first detailed, business-like assessment and property listing was made in the county in 1860 by Daniel Rinehart, then county clerk.⁴ It is as follows:

<u>Kind of Property</u>	<u>Number</u>	<u>Valuation</u>
Horses	2,007	\$84,383
Neat cattle	7,329	67,148
Mules and asses	137	6,425
Sheep	4,288	4,288
Hogs	9,226	12,823
Carriages and wagons	1,003	23,497
Clocks and watches	901	3,449
Pianos	1	50
Goods and merchandise		27,300
Manufactured articles		2,390
Moneys and credits		12,405
Unenumerated property		41,260
Aggregate		\$285,418
Deductions		5,794
Total value of taxable personal property		\$279,624
Railroad property		903,491
Lands		92,542
Total value of real and personal property		\$1,275,657
Total tax levied		15,323.67

NUMBER OF ACRES CULTIVATED IN 1859

Acres of wheat	6,252
Acres of corn	22,759
Other field products	3,402

1. Commissioners' Record, v. A, p. 137.
2. Ibid., p. 163,166.
3. Ibid., p. 471-73.
4. Ibid., v. C, p. 110.

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The Civil War gave rise to another important development in the county's finances. In 1864 the county board made an appropriation out of which \$100 was to be paid to each man in the county inducted into the army.¹ More money had to be found to meet this emergency. The county petitioned the state legislature for help. In response the General Assembly adopted an act authorizing Effingham County to borrow money and to levy special taxes for the payment of bounties.² At a session held in February, 1865, the board of supervisors voted to pay a bounty of \$350 to each volunteer and drafted man, and appointed William Gillmore as its agent to superintend the enlistments. One month later, Gillmore reported to the board that he had enlisted seventy-nine men, each of whom was entitled to the \$350 bounty.³ In 1865, the taxes levied were: $1\frac{1}{4}$ percent on all taxable property for the bounty fund, 4 mills on the dollar for county revenue, a special tax of 2 mills to pay off the county debt, $1\frac{1}{2}$ mills for support of the poor, and township taxes ranging from 8/10 of 1 mill to 2 mills on the dollar.⁴

In contrast to the preceding table of property classification and assessments, the following tabulation of the material assets of Effingham County for the year 1935, will serve to indicate tellingly how great has been the development of the county economically since Civil War days and show indirectly why the administration of its affairs has become so much more complex.⁵

<u>Personalty</u>	<u>Number</u>	<u>Assessed Valuation</u>
Passenger automobiles	2,910	\$215,731
Trucks and busses	271	30,773
Cattle	17,034	281,627
Horses and mules	6,310	178,820
Sheep and goats	3,669	7,102
Swine	6,370	20,215
Household furniture		191,540
Office and store furniture		33,664
Personal effects		7,131
Machinery and equipment		141,030
Merchandise, goods in process		231,778
Money - cash and bank deposits		127,096
Net credits		9,050
Taxable stocks and bonds		37,655
Mortgages and notes		229,767

1. Commissioners' Record, v. C, p. 371.

2. Priv.L.1865, p. 109.

3. Commissioners' Record, v. C, p. 403,404,413.

4. Ibid., p. 458.

5. Seventeenth and Eighteenth Annual Reports of the Illinois Tax Commission Assessment years 1935 and 1936 (Springfield: Printed by Authority of the State), p. 105.

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<u>Personalty</u>	<u>Number</u>	<u>Assessed Valuation</u>
All other personality		128,341
Shares of bank stock		151,850
Net receipts - fire insurance		5,352
Public utility personality		616,136
Penalties		1,255
Total personality		\$2,645,913

<u>Real Estate</u>	<u>Acres</u>	<u>Assessed Valuation</u>
Unimproved lands	80,038	\$ 547,827
Improved lands	221,011	3,398,959
Improvements		1,106,681
Total lands		\$5,053,467
Unimproved lots		\$ 34,873
Improved lots		844,775
Improvements		1,992,205
Total lots		\$2,871,853
Total real estate		\$7,925,320

Railroad Property Locally Assessed

Land (class D)	\$ 275
Lots (class D)	200
Personal property (class C)	2,380
Total railroad property	\$2,855
Total property locally assessed	\$10,574,088

Administration of Poor Relief

One of the standard items on the county's budget from the earliest days has been the care of the indigent - that is, the aged, the infirm, the orphaned children, and the children of parents unable to support them. The care was, and to an extent still is, administered under old poor laws brought to Illinois from Virginia and based on centuries-old English poor laws. A law of the Indiana Territory of 1807 provided for the farming out to the lowest bidders of persons who had become public charges, and for letting out by overseers of the poor, of needy children as indentured apprentices or servants.¹ Laws of 1835 and 1839

1. Pope's Digest, 1815, v. II, published in the Collections of the Illinois State Historical Library, v. XXX, Law Series, v. IV (Springfield: Published by Illinois State Historical Library, 1940), p. 398,497,500.

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authorized the county authorities to establish poor houses.¹ Not many, however, were established at that period when the needy were few and money for large outlays was seldom available.

In the early years of Effingham County there were comparatively few who needed public aid. The first cases on record are dated 1835; they are of orphan children who were bound out by indenture; the male children until they reached the age of twenty-one, the female children until the age of eighteen.² One indenture provided that the person holding the indenture should give to the minor at the expiration of his apprenticeship, "one horse, bridle and saddle to be worth Sixty-five Dollars in addition to the sum which the law directs."³ The agreement in the case of a female child called for the holder of the indenture to give her "Education to wit: Read and write, one cow and calf, one bed and bedding, to (two) suits of clothes extra of her common apparel."⁴ In 1849, one of these indentured children who had served up to the required age asked the court to free her from the indenture, which the court did upon examination of the contract.⁵

The care of the indigent was continued under supervision of the courts and overseers of the poor appointed yearly for each justice's district. The method of caring for them prior to the establishment of a poorhouse, by farming them out, is illustrated in the following typical entry in the county records. It is dated October, 1858: "Now on this day the Court proceeds to sell the Paupers of Effingham County to the lowest bidder for the term of twelve months . . . Anthony Roads the lowest bidder. The same was struck off to him, and an agreement entered into between the Court and said Anthony Roads to take the paupers that are now or all that may become paupers, for one year from this date for the sum of one dollar and ninety cents each per week."⁶

In 1862, the board of supervisors decided to use the abandoned courthouse in Ewington as a poorhouse. Hiram Maxfield was granted the contract for the county's needy - his bid to do this at \$2.00 a week per inmate being the lowest submitted.⁷ Medical care for the inmates was provided by physicians appointed for that purpose by the county board. The insane were sent to the state asylums and, in one case, to a private institution

1. L.1835, p. 66,67; L.1839, p. 138-40.

2. Commissioners' Record, v. A, p. 44,48.

3. Ibid., p. 122.

4. Ibid., p. 206.

5. Ibid., p. 500.

6. Ibid., v. B, p. 544,545.

7. Ibid., v. C, p. 225,250.

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in St. Louis.¹ In 1877, a law was passed providing that in counties under township organization, the township supervisors should act as ex-officio supervisors of the poor.²

By these methods the indigent were cared for until well into the twentieth century. After the financial crash of October, 1929, which resulted in widespread unemployment, the state and national governments took over the greater part of the financial burden of providing relief for previously self-supporting people. Various measures for relief were instituted for a new type of indigents - landless farmers, and workers without jobs - which measures are still in operation.

During the month of November, 1934, the number of families in Effingham County receiving unemployment relief from all public funds was 472, or 10.4 percent of the county's 1930 population.³ From February, 1933 to June 30, 1934, the total amount expended for various measures of relief in the county, was \$33,179.45, of which 38.4 percent was derived from Federal funds, 45.2 percent from state funds, and 16.4 percent from local sources.⁴

One of the methods of taking up the slack in employment is that of giving Work Projects Administration jobs to the unemployed. In Effingham County, a partial list of work thus done by this agency in the four and one-half year period, ending December 31, 1939, includes the construction and repair of 228 miles of roads, construction of 2 new wooden bridges, repairs on 9 steel bridges and viaducts, the building of 145 new culverts, erection of 2 gymnasiums, and 2 recreational buildings, improvements on school and public buildings, erection of 3 stadia, and the installation of many sewers. In addition, workers are employed on such cultural enterprises as the Illinois Writers Project and the Illinois Historical Records Survey whose central offices are outside of the county.⁵

In the latter part of the decade, 1930-1940, laws were passed establishing unemployment insurance and old age pensions. During the year 1937 a total of 440 persons in Effingham County received old age pensions amounting to \$5,962.⁶

1. Commissioners' Record, v. C, p. 314,441; v. D, p. 337,445.

2. L.1877, p. 144,145

3. Biennial Report of the Illinois Emergency Relief Commission through November 30, 1934 (Published by Authority of the State, 1934), p. 8.

4. Second Annual Report of the Illinois Emergency Relief Commission, Period of February 6, 1933 through June 30, 1934, p. 204.

5. Official Report Work Projects Administration, District 4, March, 1940.

6. Tabular Summary of Statistics of Public Assistance under the Social Security Act, for the calendar year 1937 (Washington: Government Printing Office, 1938), p. 21.

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Administration of Schools

Progress in the field of formal education in Effingham County, as in the rest of the state, has been furthered by the liberality of the national government, beginning in the early days. Directly and indirectly, it has been a great help in bringing about the complete absence of illiteracy in the county, in the school age group of 12 to 21.¹ Illiteracy among the entire population of the county, in 1930, was only 1.2 percent.²

The national government gave practical encouragement to the furtherance of education in the newly acquired Northwestern Territory, when Congress passed an ordinance, on May 20, 1785, providing that one section of each congressional township in the public land of the territory be reserved for the use of schools.³ This act was confirmed by the Ordinance of 1787, and the enabling act under which Illinois was admitted into the Union formally set aside⁴ section 16 of every congressional township for the benefit of schools.

In the spirit of these measures, the state legislature approved an act on January 15, 1825, submitted by James Duncan, providing for the establishment of free schools in the state to be maintained by means of a tax.⁵ But in the face of the pioneer dislike for, and incapacity to pay taxes, the section of the act dealing with the method of financing the schools was amended. This rendered the original act inoperative for practical purposes in so far as its basic intent was concerned.⁶

Later laws provided for the sale of the seminary lands that had been granted to the state by Congress and of sections 16, for the support of schools. They provided also for an annual vote by the inhabitants of school districts to determine their willingness to submit to a school tax, and for a school commissioner in each county to administer the sales of school lands and the funds derived therefrom.⁷ It was not, however, until the free-school act of 1855 was put into operation, that common school education in the state began to make real progress. This law provided for the support of schools by a tax, and for their supervision by a state superintendent of public instruction. It also established the state

1. John a Wicland, Statistical Report of the Superintendent of Public Instruction, State of Illinois, for the Year Ending June 30, 1937, p. 121. Hereinafter referred to as Statistical Report of the Superintendent of Public Instruction for the Year Ending June 30, 1937.
2. Farm, Home and Community, p. 62.
3. Journal of the American Congress, v. V, ch. IV, p. 520,521.
4. Ordinance of 1787, Art. 3rd; 3 U.S.S.L. 428.
5. L.1825, p. 121.
6. R.L.1827, p. 364,365.
7. Ibid., p. 366-68; R.L.1829, p. 150,158; L.1845, p. 51-74.

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requirement for teachers to present certificates of their qualifications, and to keep records of attendance and promotion.¹

In the frontier days, education in Illinois was a primitive and hap-hazard affair. Until the appearance of teachers after the settlements grew thicker, the children received elementary instruction from some literate member of the family, or from an itinerant preacher. When the settlements became more populous, a self-designated schoolmaster appeared and set up a subscription school under a convenient roof, charging for each pupil a few dollars per term in money or kind.

This was the first type of school established in Effingham in the early years. It was taught by Elisha Parkhurst, a twelve-year-old lad, and it occupied part of a stable on the farm of Thomas I. Brockett in the present Jackson Township.² In 1837 the county commissioners created five school districts assigning three school trustees to each district. John Funkhouser was appointed school commissioner and county agent to supervise the sale of school lands, and the administration of the funds derived therefrom. He was put under a bond of \$12,000 and ordered to loan the school funds at twelve percent interest.³

In his first report in December, 1837, the school commissioner accounted for an expenditure for education for that year of \$107.46. He paid the school teachers as follows: Samuel Houston, \$42.21 $\frac{1}{2}$; Charles Gilky, \$24.35 $\frac{1}{2}$; Thomas Loy, \$28.33 1/3;⁴ and Revella (also spelled Ravilla) Griffith, the only female teacher, \$9.88.⁴

During several of the early years, the reports of the school commissioners were concerned exclusively with the sale of school lands, and the disposition of the trifling sums derived from these transactions plus interest. The usual sale price was \$1.25 per acre, and money derived by disposing of school lands at this meager price was the only fund available for educational purposes. In the forties, additional money for schools was received from the state school, college and seminary funds which were distributed to all counties.⁵ In the fifties, small sums derived from fines within the county were added to the school fund.⁶

It was not, however, until the free-school act was put into operation that true common school education began its uninterrupted progress.

1. L.1855, p. 51ff.

2. Coleman, The Old Settlers' Bulletin.

3. Commissioners' Record, v. A, p. 72,73,75,82.

4. Ibid., p. 82,83.

5. Ibid., p. 285,343.

6. Ibid., v. B, p. 567,

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In 1858, school commissioner John B. Carpenter reported the receipt of \$5,117.92 for school purposes, of which he expended all but \$96.76.¹

In the atmosphere of greater enlightenment which prevailed in that period, an attempt was made in Effingham to provide for higher than elementary school education. In 1861, a number of citizens in the county sponsored the establishment of a "Seminary of Learning." The board of supervisors promised to donate for that purpose the old courthouse in Ewington together with the grounds.² Because of a lack of funds, nothing further was done relative to the establishment of this seminary. The law of 1872³ which provided that on petition of fifty voters of any school district an election for the establishment of a high school should be called, obviated the necessity for these private seminaries which had sprung up throughout the state.

The great progress which has been made in the field of education in Effingham County during the hundred-odd years of its existence is tellingly indicated by a comparison of the educational facilities of the early days with the following educational report for the school year 1936-1937; total value of school property, \$523,680.00; expenditures, \$219,193.02; number of school districts, 80; number of schools, 95; number of pupils, 3,581; number of teachers, 166; number of libraries, 69; number of volumes in the libraries, 17,185; tax levy for 1936, \$175,322.00.⁴ During the ten-year period, 1923-1932, the county sent an annual average of 26 students to the University of Illinois, besides an undetermined number to other colleges and universities within the state and elsewhere.⁵

The changes effected in education in the hundred years between the time when twelve-year-old Elisha Parkhurst taught his school in a stable, and the present day, when the schools of Effingham County are conducted by a well qualified personnel, in well equipped buildings, provide a striking illustration of the progress made by the people of the county and the people of the nation in general towards the realization of their yearning for a civilized, secure existence. In the other phases of life, progress in the county may not have been as unqualified as in education, but that it has been far-reaching is shown, for example, by a comparison of attitudes towards the indigent, and a comparison of the daily conditions of life of the pioneers with those of the present inhabitants.

1. Commissioners' Record, v. B, p. 567.

2. Ibid., v. C, p. 126, 144.

3. L. 1872, p. 713.

4. Statistical Report of the Superintendent of Public Instruction for the Year Ending June 30, 1937, p. 11, 16, 38, 40, 50.

5. Farm, Home and Community, p. 62.

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Introduction

The county in Illinois is a corporate body¹ and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in Effingham County and in others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence, or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Effingham County, therefore, is easiest traced from the viewpoint of the major functions of county government.

General Administration

General administrative jurisdiction over county business has always been vested in the county board. During the first constitutional period, the county commissioners' court acted as the county board in all counties.²

1. R.L.1827, p. 107; R.S.1845, p. 130; R.S.1874, p. 306.

2. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175,176.

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It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.¹ The commissioners were constitutional officers,² and elected,³ the court existed solely by statutory provision.⁴ Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,⁵ at first filled at the appointment of the court,⁶ later by election.⁷

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.⁸ As an administrative body,⁹ it was composed of the county judge, and elected, constitutional officer,¹⁰ and two justices of the peace, elected at large.¹¹ Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.¹²

The Constitution of 1848 also made provision, for the first time, for an optional form of county government.¹³ The subsequent enabling acts¹⁴ provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the form of the county board.¹⁵ Effingham County so elected in 1860, and in 1861 the county court was succeeded by a board of supervisors, composed of members elected, one in each of the several townships.¹⁶ The clerk of the county court was

1. L.1819, p. 176.
2. Constitution of 1818, Schedule, sec. 4.
3. L.1819, p. 99; L.1821, p. 80; L.1837, p. 103,104.
4. L.1819, p. 175.
5. Ibid.
6. Ibid.
7. L.1837, p. 49; L.1845, p. 28.
8. Constitution of 1848, Art. V, sec. 19; L.1849, p. 65.
9. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 36.
10. Constitution of 1848, Art. V, sec. 17.
11. Ibid., sec. 19; L.1849, p. 65,66.
12. Constitution of 1848, Art. V, sec. 19; L.1849, p. 63.
13. Constitution of 1848, Art. VII, sec. 6.
14. The original enabling act of 1849 (L.1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L.1851, p. 35-78).
15. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 33.
16. Constitution of 1848, Art. VII, sec. 6; L.1851, p. 38,50-52.

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required by law to act as the ministerial officer of the new county board.¹ In 1872, however, that clerk was replaced by a new officer, the county clerk, whose office had been created and made elective, by the third constitution,² and who was required by law to act as ministerial officer for the county board.³ Another significant change in the form of the county board has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;⁴ the assistant supervisors have no powers or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.⁵

The Constitution of 1870 also provided a new form of county board in counties not under township organization. This board was to be composed of three officers, styled commissioners, who would transact all county business as provided by law.⁶ Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.⁷ These laws were ineffective in Effingham since this county has retained township organization since its institution in 1861.

Concurrent with the changing organization of the county board is an expansion of its functions without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,⁸ a limited but increasing management of county property,⁹ and a growing fiscal control, stringent in regard to tax collections,¹⁰ sporadic in its check on the expenditures of other county officers.¹¹ The court additionally had power to appoint judges of election,¹² select juries,¹³ and, with limitation to construct and maintain roads and bridges.¹⁴ Poor

1. L.1849, p. 203; L.1851, p. 52.

2. Constitution of 1870, Art. X, sec. 8.

3. R.S.1874, p. 322.

4. Ibid., p. 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905-10; L.1933, p. 1115,1116.

5. R.S.1874, p. 1080.

6. Constitution of 1870, Art. X, sec. 6.

7. L.1873-74, p. 79.

8. L.1819, p. 175.

9. Ibid., p. 237,238; L.1842-43, p. 128.

10. L.1819, p. 238,318; L.1823, p. 208; R.L.1827, p. 373,375; R.L.1829, p. 121; L.1842-43, p. 112; L.1845, p. 11,12.

11. R.L.1827, p. 366; L.1831, p. 175.

12. L.1819, p. 90.

13. Ibid., p. 255; L.1823, p. 182.

14. Either by calling on the able-bodied men of the county for labor, or by raising bond issues by subscription (L.1819, p. 333,334,336,337,343; L.1821, p. 167; L.1825, p. 130-33).

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relief¹ and a tentative supervision of education² also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of and make regulations concerning all real and personal property of the county.³ It is now required also to audit all claims against the county and the accounts of such officers as were not provided for by law.⁴ Otherwise, the changes in form of the county board in Effingham County have not materially affected the general administrative jurisdiction of that body.⁵

Finances

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.⁶ The administrative body, within statutory limits, fixed the amount of the levy, while the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.⁷ In 1825 assessments were made by the county assessor, also an appointee of the county commissioners' court.⁸ This duty reverted to the county treasurer in 1827⁹ and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district assessors, not to exceed one in every justice's district.¹⁰ The earlier

1. L.1819, p. 127; L.1839, p. 138,139.

2. R.S.1845, p. 500,501.

3. L.1849, p. 202; L.1851, p. 50,51; L.1861, p. 235,236; R.S.1874, p. 306,307; L.1911, p. 245,246; L.1923, p. 304,305; L.1937, p. 453,454.

4. L.1849, p. 202; L.1851, p. 51; R.S.1874, p. 307; L.1923, p. 299.

5. Cf. this running summary with R.S.1874, p. 306,307 and R.S.1937 (State Bar Association Edition), p. 910-12.

6. L.1819, p. 315.

7. Ibid., p. 313,319; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.

8. L.1825, p. 173.

9. R.L.1827, p. 330.

10. L.1839, p. 4.

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system was reestablished in 1844, with the treasurer, however, now having the status of ex-officio county assessor.¹ Since 1861, the date of the institution of township organization in Effingham County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.² Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of, and appraise personal property and special categories of other property.³ The treasurer now has the status of ex-officio supervisor of assessments.⁴

Before the creation of a board of review, the functions which today fall within its scope were performed, in substance, by various officers. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.⁵ During the second constitutional period, appeals in Effingham County, were made to the county court.⁶ After the institution of township organization in 1861, town boards were empowered to review the assessments within their own jurisdiction, and the county board was required to meet annually to assess omitted property, review assessments upon complaint, and equalize valuations between towns.⁷ In 1898 this authority of the county board was transferred to the newly created board of review, composed of the chairman of the county board as ex-officio chairman, the county clerk as ex-officio clerk, and an additional number appointed by the county judge.⁸ In 1923 the county clerk was replaced by another member appointed by the county judge;⁹ the board of review now appoints its own clerk.¹⁰

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.¹¹ Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction.

1. L.1843, p. 231.
2. L.1849, p. 192; L.1851, p. 38; L.1871-72, p. 20-24.
3. L.1853, p. 16,17; L.1871-72, p. 11,14,15,19,23; L.1873, p. 51; L.1879, p. 241-45; L.1881, p. 133,134; L.1885, p. 234; L.1895, p. 300,301; L.1905, p. 360; L.1915, p. 568; L.1923, p. 495,500; L.1931-32, First Sp. Sess., p. 69.
4. L.1898, p. 36-44.
5. L.1819, p. 316; R.L.1827, p. 330; L.1839, p. 7; L.1845, p. 8.
6. L.1849, p. 65.
7. L.1851, p. 56,57; L.1871-72, p. 21,22,24,25.
8. L.1898, p. 46.
9. L.1923, p. 496; L.1931-32, First Sp. Sess., p. 71,72.
10. L.1923, p. 496,497.
11. Constitution of 1818, Art. III, sec. 11; L.1819, p. 316.

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tion, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.¹ In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a regular county collector.² Soon after, the law reverted to the earlier situation, with the sheriff acting as ex-officio collector.³ This situation continued until Effingham County adopted township organization when town collectors were elected, one in each township,⁴ and the county treasurer became ex-officio county collector.⁵ The town officers paid over their collections directly to the county officer, and supplied the basic information for the latter's summary report of collections in the county.⁶ In 1917 the town office of collector was abolished in counties the size of Effingham, and the county collector became ex-officio town collector, assuming all duties previously assigned to the latter officer.⁷

Coordination of the taxation processes has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and returned to him by the assessor; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.⁸

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation, namely; to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the county board.⁹ Through this last

1. L.1819, p. 316-18; L.1821, p. 182,183; R.L.1827, p. 332,333; R.L.1829, p. 121-23; L.1831, p. 125; L.1837, p. 194,195; L.1839, p. 7-12; L.1843, p. 234; L.1845, p. 11; L.1847, p. 81; L.1871-72, p. 55,57,58.
2. L.1858-59, p. 7.
3. L.1843, p. 234.
4. L.1849, p. 192; L.1851, p. 38.
5. L.1853, p. 67.
6. L.1871-72, p. 41,56,57.
7. L.1917, p. 793.
8. L.1819, p. 317; R.L.1827, p. 373; L.1837, p. 194,195; L.1859, p. 8-12; L.1840, p. 3; L.1845, p. 9,11; L.1853, p. 71,111; L.1871-72, p. 32. 34,35,46,56,58; L.1873-74, p. 51; L.1911, p. 485; L.1917, p. 651; L.1919, p. 765; L.1931, p. 747.
9. L.1919, p. 315,316; R.S.1845, p. 138; L.1861, p. 239; R.S.1874, p. 323, 324.

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requirement, and that of the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.¹

Administration of Justice

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.²

Federal statutes already allowed circuit courts in all states jurisdiction over the naturalization of aliens;³ the first state legislature additionally conferred jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.⁴ The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,⁵ but in 1824 provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices, by both branches of the General Assembly, and to hold office during good behavior.⁶ In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.⁷ At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.⁸ At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial circuits and by a circuit judge in the fifth.⁹ A change was made again

1. L.1819, p. 318; L.1837, Sp. Sess., p. 59,60; L.1845, p. 33; R.S.1845, p. 138,139; L.1861, p. 239,240; R.S.1874, p. 323,324.

2. Constitution of 1818, Art. IV, sec. 1,4,8.

3. 2 U.S.S.L. 153-55.

4. L.1819, p. 380.

5. Ibid., p. 378.

6. L.1824, p. 41. The Constitution of 1818, which had required that Supreme Court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law (Art. IV, sec. 4).

7. R.L.1827, p. 118,119.

8. R.L.1829, p. 38.

9. Ibid., p. 42,48.

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in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.¹ The six judicial circuits existing at that time were supplemented during the next few years by creation of new circuits,² so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.³

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.⁴ The power of appointment, the legislature at first reserved to itself;⁵ in 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.⁶

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.⁷ By act of the next General Assembly, it was transferred to the court of probate,⁸ consisting in each county of one judge appointed by the General Assembly.⁹ As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,¹⁰ jurisdiction over probate matters for the first time was placed in the hands of elected officers.¹¹

The county court was the creation of the second constitution,¹² which also made circuit judges elected officers.¹³ With regard to the new court, it was further provided by law that it should be held in each county by a

1. L.1835, p. 150.

2. L.1837, p. 113; L.1838-39, p. 155.

3. L.1841, p. 173.

4. L.1819, p. 185, 192, 195.

5. Ibid., p. 22.

6. R.L.1827, p. 255, 256. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L.1821, p. 74). For changes in the statutory limitations of this power of the court, see R.L.1827, p. 255, and R.L.1829, p. 93.

7. L.1819, p. 223-33.

8. L.1821, p. 121.

9. Ibid., p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.

10. L.1837, p. 176, 177.

11. The Constitution of 1818 (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.

12. Constitution of 1848, Art. V, sec. 1, 16.

13. Ibid., sec. 7, 15.

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single elected officer, the county judge.¹ Its authority was extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.² In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;³ at the next session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.⁴ Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;⁵ it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.⁶ In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In Effingham County, and others similarly organized, one additional justice of the peace is now elected for every one thousand inhabitants exceeding two thousand inhabitants in each town.⁷

Provision was first made by the Constitution of 1870 for the establish by the General Assembly of an independent probate court in each county having a population of more than fifty thousand inhabitants.⁸ As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.⁹ This population requirement was lowered to seventy thousand in 1881.¹⁰ The population of Effingham County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.¹¹ The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;¹² its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases

1. Constitution of 1848, Art. 4, sec. 17.
2. Ibid., sec. 18.
3. L.1849, p. 65.
4. Ibid., Second Sess., p. 15.
5. L.1849, p. 65,66; L.1853, p. 103; L.1861, p. 171,172.
6. 2 U.S.S.L. 155.
7. L.1854, p. 30. No more than five justices, however, may be elected, from any town or election precinct.
8. Constitution of 1870, Art. VI, sec. 20.
9. L.1877, p. 79,80.
10. L.1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of eighty-five thousand or more, and optional in counties having a population of between seventy thousand and eighty-five thousand (L.1933, p. 458).
11. Constitution of 1870, Art. VI, sec. 18; L.1877, p. 80; L.1881, p. 72.
12. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212,223.

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cognizable by justices of the peace and involving in controversy sums not exceeding \$500.² In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.³ The present constitution, also, for the first time, directed the manner in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every one hundred thousand of population of the state.⁴ At present there are eighteen circuits in Illinois, and Effingham County is attached to the fourth circuit.⁵

Clerks of Courts

The clerk of the circuit court under the Constitution of 1818, was to be appointed by a majority of the justices of that court.⁶ Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.⁷ The office of clerk of the county court, which was an independent elective office under the second constitution,⁸ is now filled in an ex-officio capacity by the county clerk⁹ who is also required by constitutional provision to be elected.¹⁰ The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.¹¹ Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.¹² With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.¹³ In Effingham County where the county court still retains probate jurisdiction, the county clerk serves it in these matters in his capacity

1. The jurisdiction of justices has also been progressively increased during this period. See L.1871-72, p. 524; L.1895, p. 189,190; L.1917, p. 562,563; L.1929, p. 541,542.
2. L.1871-72, p. 325.
3. 34 U.S.S.L. 596.
4. Constitution of 1870, Art. VI, sec. 13.
5. L.1933, p. 436.
6. Constitution of 1818, Art. IV, sec. 6.
7. Constitution of 1848, Art. V, sec. 21,29; Constitution of 1870, Art. X, sec. 8.
8. Constitution of 1848, Art. V, sec. 19.
9. R.S.1874, p. 260.
10. Constitution of 1870, Art. X, sec. 8.
11. L.1819, p. 175.
12. L.1821, p. 119,120; L.1837, p. 177,178.
13. L.1849, p. 66.

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as ex-officio clerk of the county court.¹ Justices of the peace have always been required to keep their records in person.²

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected.³ Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;⁴ since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.⁵ The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially he is to attend in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.⁶

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.⁷ He was also required to serve all process in any suit in which the sheriff was an interested party,⁸ and to perform all the duties of the sheriff when that office was vacant.⁹ The last two functions are still incumbent upon the coroner.¹⁰

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;¹¹ at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;¹² in 1827 it was provided that two constables should be

1. R.S.1874, p. 260.
2. L.1819, p. 185-97 (no specific record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L.1827, p. 260 (becomes definite provision for justices to keep own records); L.1895, p. 221,222.
3. Constitution of 1818, Art. III, sec. 11.
4. R.L.1827, p. 373.
5. Constitution of 1870, Art. X, sec. 9.
6. L.1819, p. 111; R.S.1874, p. 990,991.
7. L.1819, p. 111.
8. L.1821, p. 29-33.
9. R.L.1827, p. 372,373.
10. R.S.1874, p. 282. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R.S.1874, p. 281,282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 Ill. 268).
11. Constitution of 1870, Art. VI. sec. 21.
12. L.1819, p. 162.

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elected in each justice of the peace district.¹ Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.² Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;³ process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.⁴

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,⁵ was incumbent originally upon the circuit attorney.⁶ In 1827 this officer was replaced by the state's attorney.⁷ Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,⁸ of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.⁹

The offices of circuit attorney and early state's attorney, which existed solely by statutory provision,¹⁰ were appointive by the Governor until 1835,¹¹ and thereafter by the General Assembly.¹² The second constitution provided for an elected state's attorney;¹³ since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.¹⁴ Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.¹⁵

1. R.L.1827, p. 258.
2. See Courts, p. 36.
3. L.1819, p. 162,163; R.S.1871, p. 400.
4. L.1819, p. 186; R.S.1845, p. 317; L.1871-72, p. 525; L.1895, p. 191, 193; L.1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 7,8, and 9, p. 40), to the coroner (R.S.1845, p. 413; L.1871-72, p. 338; L.1907, p. 444,445; L.1933, p. 786; L.1937, p. 989).
5. R.S.1871, p. 173,174.
6. L.1819, p. 204; L.1825, p. 178,179.
7. R.L.1827, p. 79,80.
8. See Enforcement of Law, p. 42.
9. R.S.1845, p. 76; R.S.1874, p. 174.
10. L.1819, p. 204-6.
11. Ibid., p. 204.
12. L.1835, p. 44.
13. Constitution of 1848, Art. V, sec. 21. The new title, however, had already come into occasional use in the interim (R.L.1827, p. 79,80; L.1835, p. 44; L.1847, p. 18,19).
14. Constitution of 1848, Art. V, sec. 28.
15. Constitution of 1870, Art. VI, sec. 22.

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Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;¹ the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.² The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.³

The verdict of the coroner's jury, however, is not generally admissible in evidence;⁴ additionally, it is not held to be *prima facie* proof of matters stated therein with regard to the cause and manner of death;⁵ its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.⁶ To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.⁷ The state's attorney's powers as an officer for the enforcement of law originally arise by implication from another duty;⁸ the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.⁹ In relatively recent years, however, the state's attorney has

1. Constitution of 1818, Art. III, sec. 11.
2. Cf. L.1821, p. 22-24; R.S.1845, p. 517,518; R.S.1874, p. 282-84; R.S.1937 (State Bar Association Edition), p. 780-82.
3. L.1821, p. 24,25; R.S.1845, p. 518; R.S.1874, p. 284; L.1879, p. 82; L.1907, p. 213; L.1919, p. 403,404; L.1931, p. 383,389.
4. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).
5. 201 Ill. App. 287.
6. L.1821, p. 25; R.S.1845, p. 518; R.S.1874, p. 283,284.
7. L.1819, p. 111,162,163; R.S.1845, p. 515; R.S.1874, p. 400.
8. See Prosecutions, p. 41.
9. L.1819, p. 204; R.S.1845, p. 76.

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been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.¹ But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

Education

The act of Congress providing for the creation and admission of the State of Illinois to the Union set aside section sixteen of every township for the use of schools.² The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.³

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.⁴ In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of the former township school trustees.⁵ The creation of office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;⁶ his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.⁷ In the interim, the school commissioner, who had first been appointed by the county commissioners' court,⁸ became an elected officer;⁹ in such townships as elected to incor-

1. L.1885, p. 3; L.1907, p. 268; L.1913, p. 395; L.1915, p. 388; L.1927 p. 33.
2. 3 U.S.S.L. 428.
3. L.1819, p. 107, 108.
4. L.1825, p. 121, 122.
5. R.L.1827, p. 366-70.
6. R.L.1829, p. 150-54.
7. Cf. L.1831, p. 176; L.1841, p. 275-79.
8. R.L.1829, p. 150.
9. L.1841, p. 261, 262.

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porate for the purpose of organizing and supporting schools, township trustees also became elected officers and were then denominated trustees of schools.¹

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers, styled township school trustees.² The relative authority of the county school commissioner³ and of officers of the township with regard to financial administration was fixed essentially as at present.⁴ However, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the creation of the office of superintendent of schools.⁵ Filled at first by the school commissioner in an ex-officio capacity,⁶ it quickly absorbed most of the functions of township trustees with regard to the advancement of education;⁷ later, the office came to be filled by election⁸ and completely absorbed that of school commissioner.⁹ In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to his management of school funds and lands.¹⁰ Subsequent legislation has enlarged

1. L.1841, p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (*ibid.*, p. 259,260).
2. L.1847, p. 126; L.1909, p. 350.
3. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex-officio superintendent (see footnotes 6,8, and 9), was only a change in the legal status of the officer of the county and had no further import.
4. L.1847, p. 123,124,128,129; L.1909, p. 351-54; L.1927, p. 794,795.
5. R.S.1845, p. 498.
6. *Ibid.*
7. R.S.1845, p. 497-503. Cf. L.1825, p. 121,122; R.L.1827, p. 366-70; L.1831, p. 173; L.1841, p. 270,275,276,279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L.1847, p. 130).
8. L.1865, p. 112.
9. *Ibid.*, p. 112,113.
10. R.S.1845, p. 498-501. Cf. L.1847, p. 121-25; L.1857, p. 261-65, 278, 279,296,297; L.1861, p. 190,191; L.1865, p. 114,119-21.

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the scope of this phase of the superintendent's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.¹

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the State Superintendent of Common Schools² information concerning the schools in his county.³ Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans submitted to him for the heating, ventilation, lighting, etc., of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the State Department of Public Health,⁴ the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.⁵

Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.⁶ Originally appointed by the Governor,⁷ the recorder was required to be elected after 1835.⁸ The second constitution made the clerk of the circuit court⁹ ex-officio recorder in all counties;¹⁰ the present constitution continued the earlier provision in counties of under sixty thousand population and provided for the election of a recorder in counties of that population or more.¹¹ As Effingham County never met the population requirement, the clerk of the circuit court has continued to fulfill the duties of recorder.

1. L.1909, p. 347-50; L.1915, p. 636-38.
2. The Secretary of state in ex-officio capacity (L.1845, p. 52). In 1854 the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L.185+, p. 13), which is its present status (L.1909, p. 343).
3. L.1845, p. 54.
4. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L.1917, p. 4,17,27,28).
5. L.1915, p. 637-40.
6. L.1319, p. 18-20.
7. Ibid., p. 19.
8. L.1835, p. 166.
9. An elected officer; see Clerks of Courts, p. 39.
10. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.
11. Constitution of 1870, Art. X, sec. 8; L.S.1874, p. 833.

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The basic duty of the recorder, to record at length and in the order of their receipt, all instruments in writing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instruments entitled to be recorded.¹ Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly, the office of surveyor was at first filled by appointment by that body,² later by election.³ In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.⁴ His duty to complete all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.⁵

Public Works

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.⁶ The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.⁷ With a change in the county administrative body under the second constitution, the county court was granted supervision and control over public roads,⁸ but the care and superintendence of roads and bridges in counties

1. L.1819, p. 18-20; R.L.1829, p. 117, 118; R.L.1833, p. 511; R.S.1845, p. 306, 431, 432, 606; L.1851, p. 80; L.1859, p. 124; L.1869, p. 2; R.S.1874, p. 833, 834; L.1921, p. 756, 757; L.1925, p. 520-22.

2. L.1821, p. 62.

3. L.1835, p. 166.

4. L.1933, p. 1104. Provision effective in 1936.

5. R.L.1829, p. 173; R.L.1833, p. 511; L.1845, p. 201; L.1869, p. 241, 242; R.S.1874, p. 1050, 1051; L.1901, p. 307, 308; L.1915, p. 575.

6. L.1819, p. 333.

7. L.1825, p. 130.

8. L.1849, p. 65; L.1851, p. 179

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electing the township form of government were granted to the commissioners of highways, elected annually in each town.¹ The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing township organization, the original system of road districts and road supervisors was continued.² The supervision, control, and maintenance of roads, highways and bridges in Effingham County were vested in the county court and the road district supervisors from 1849 to 1861, when township organization was instituted in this county.³ In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.⁴ The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department,⁵ but the county organization has remained essentially the same since 1913.

Public Buildings

The county is given the power to hold, own, and convey real estate for county purposes.⁶ This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county,⁷ and that the sheriff of each county be charged with custody of such buildings.⁸ The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.⁹

1. L.1849, p. 212.

2. L.1847, p. 111-13; L.1849, p. 65,212,213; L.1851, p. 64,179.

3. Effingham County adopted township organization in 1860, but the change did not become effective until 1861.

4. L.1913, p. 521-25,537-46.

5. Ibid., p. 524,525,538,542-44; L.1917, p. 24; L.1921, p. 780-86; L.1933, p. 961.

6. R.S.1874, p. 306.

7. L.1819, p. 237,238; R.S.1845, p. 135; R.S.1874, p. 307,308.

8. R.L.1827, p. 246,247,372; R.S.1874, p. 990.

9. R.S.1874, p. 307; L.1909, p. 163; L.1911, p. 246.

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The county superintendent of schools is charged with the inspection of plans and specifications for public schoolrooms and buildings, and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.¹ He is also to request the Department of Public Health,² the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.³ The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.⁴ Such lands were to be under the care and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

In 1865 the commissioners of highways in each town became ex-officio boards of drainage commissioners.⁵ Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.⁶ In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.⁷

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were

1. L.1915, p. 637-40.
2. Created in 1917 to supplant the State Board of Health abolished in that year (L.1917, p. 4,17,27).
3. 9 U.S.S.L. 519.
4. L.1852, p. 178.
5. L.1865, p. 50.
6. L.1867, p. 91,92.
7. L.1879, p. 142.

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to be filed with the county clerk and hearings on the same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than \$5,000 were to be presented to justices of the peace, if the petitioners so elected, and commissioners of highways were to perform the duties of drainage commissioners in such cases.¹ In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.²

Public Services

Public Health

The State Department of Public Health, created in 1917,³ is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.⁴

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests.⁵ The clerk is also required to report annually to the state health department the names and addresses of township officials.⁶

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election

1. L.1879, p. 120.

2. L.1885, p. 130,131.

3. L.1917, p. 4.

4. Ibid., p. 27,28,763,765,767,768.

5. L.1901, p. 305.

6. L.1923, p. 480.

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make return to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.¹

County officials also enter into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notice.²

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.³ To effect proper control of this matter the state is divided into vital statistics registration districts which in Effingham County, are identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrars' fees. Such amounts are charged against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provisions of the act relating to registration to the state's attorney who is to initiate and follow up court proceedings against violators.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing the persons desiring to marry are free from venereal diseases.⁴

1. L.1927, p. 694.

2. L.1931, p. 735,736.

3. L.1915, p. 660-70.

4. L.1937, p. 908-11.

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When a marriage has been performed, the certificate of marriage together with the license is returned to the county clerk, who is required to keep a register of marriages, showing the date, names of the parties and name and title of the official performing the ceremony.¹

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, the blind examiner, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.² He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.³ In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.⁴ Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.⁵ The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.⁶

Coordination of Functions

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program

1. R.S.1874, p. 696.
2. L.1937, p. 451,452.
3. L.1935-36, First Sp. Sess., p. 54-61,72; L.1937, p. 265-70,452.
4. L.1935, p. 1057.
5. L.1903, p. 138; L.1915, p. 256,257; L.1935, p. 264,265.
6. L.1913, p. 127-30; L.1915, p. 243-45; L.1921, p. 162-64; L.1935, p. 256,259.

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on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure. He notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election.

Records System

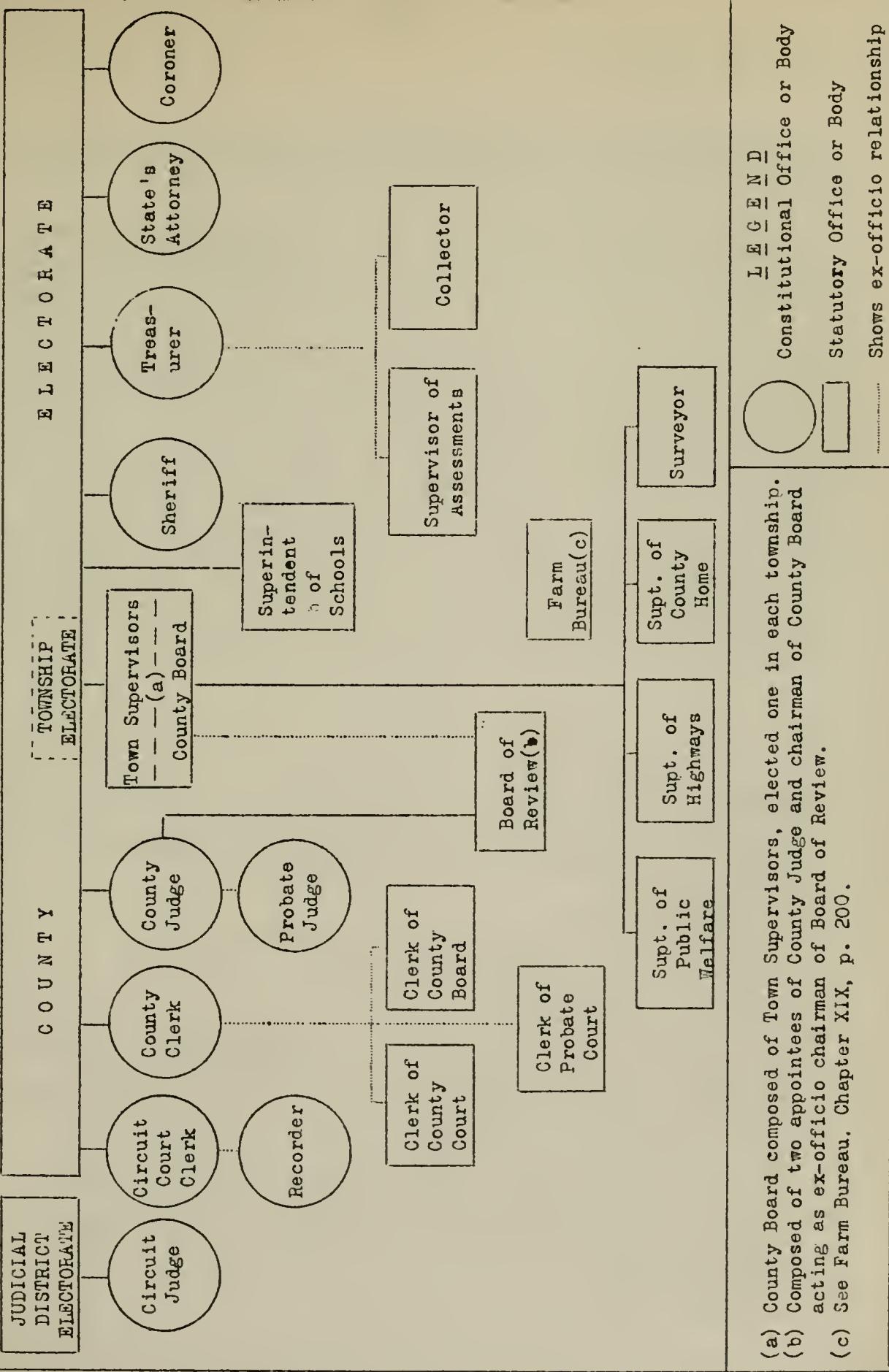
County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of those documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records system of the several counties and to preserve their archives.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used. Laws relating to the duties and powers of county officers usually contained some such provisions. Thus, in 1819, the recorder of the county was ordered to supply "parchment or good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for that purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.¹ In 1833 he was required to keep an alphabetical index to each book,² and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.³

In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several

1. L.1819, p. 18,20.
2. R.L.1833, p. 511.
3. R.S.1874, p. 834.

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capacities,¹ the clerk of the circuit court,² the judge³ and justice⁴ of the probate court, the coroner,⁵ the county superintendent of schools,⁶ the county surveyor,⁷ and the county treasurer.⁸

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,⁹ assessments and the collection of revenue,¹⁰ the organization and maintenance of common schools,¹¹ the registration of marriages,¹² and the recording of vital statistics.¹³

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe-keeping of the archives of their offices."¹⁴ In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure, to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their courthouses could be made fireproof, to make it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts.¹⁵ Similar in content but slightly different in

1. L.1849, p. 66,203; L.1859, p. 92,94; L.1865, p. 93; R.S.1874, p. 261-65, 332; L.1933, p. 293-95.
2. R.L.1833, p. 152; R.S.1845, p. 147; L.1847, p. 70; L.1849, p. 9; L.1865, p. 93; R.S.1874, p. 262,263; L.1933, p. 293,294.
3. R.L.1829, p. 231.
4. R.S.1845, p. 427,428.
5. R.L.1833, p. 574; L.1869, p. 104,105; R.S.1874, p. 283.
6. L.1849, p. 155,156; L.1865, p. 120; L.1909, p. 346,348,349.
7. R.L.1829, p. 173; R.S.1845, p. 524.
8. R.S.1845, p. 138; R.S.1874, p. 323,324.
9. L.1819, p. 92,94; R.L.1827, p. 291,292; R.L.1829, p. 59,60; L.1845, p. 41,42; L.1849, p. 73,74; L.1865, p. 54,55; L.1871-72, p. 386-89, 391; L.1885, p. 143,148,173,176; L.1937, p. 522-29,531-48.
10. R.L.1827, p. 329-33; L.1838-39, p. 4,5,7,8,12,13,17; L.1845, p. 6-9, 12,14,15; L.1849, p. 37,38,124-26; L.1851, p. 53,55,56; L.1853, p. 17, 24,50,55,77,78,111,112; L.1871-72, p. 19,23,32,48,49,54.
11. L.1825, p. 127; R.L.1833, p. 363; L.1841, p. 263,270-72; L.1845, p. 53, 54,65-68; L.1847, p. 121-23,142-44; R.S.1874, p. 950,957,958,964.
12. L.1819, p. 27; R.L.1827, p. 288,289; R.S.1874, p. 694,695.
13. L.1842-43, p. 210-12; L.1877, p. 209; L.1901, p. 301-4; L.1903, p. 315-18; L.1915, p. 666,667.
14. L.1819, p. 332.
15. L.1842-43, p. 210.

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wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties."¹ The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out, records,² and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University Library at Urbana.³ Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county.⁴ Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.⁵ In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state.⁶ The erection of this structure, the State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accomodations for county documents, they are permissive rather than mandatory in character.⁷ Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.⁸ The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

1. L.1845, p. 46.

2. L.1871-72, p. 648,649.

3. L.1897, p. 205; L.1939, p. 693.

4. L.1907, p. 375.

5. L.1871-72, p. 649,650,652.

6. L.1935, p. 138; L.1939, p. 693.

7. L.1842-43, p. 210; L.1845, p. 46.

8. L.1861, p. 269; L.1871-72, p. 389; L.1885, p. 146,193; L.1891, p. 118,119; L.1917, p. 438,443.

3. ROSTER OF COUNTY OFFICERS*
 (Date after name of official refers to
 date of commission, unless otherwise stated)

County Commissioners' Court**
 (The first county administrative body, from 1833 to 1849,
 which consisted of three elected commissioners)

T. W. Short, Isaac Fancher,	William Freeman, September 1, 1834 ³
William I. Hankins,	Presley Funkhouser, William S. Clark,
January	Isaac Slover, September 5, 1836 ⁴
James Turner,	Presley Funkhouser, Isaac Slover,
April	Thomas Gillenwater(s),
Eli Cook, John Martin,	September 3, 1838 ⁵

* This list was compiled from the following sources

- A. Secretary of State. Index Department, Election Returns.
 Returns from County Clerk to Secretary of State. 1809-47, 78
 volumes (1-78), third tier, bay 1; 1848--, 53 file drawers (2-54),
 third tier, bay 2, State Archives Building, Springfield.
- B. Secretary of State. Executive Department.
 Certificates of Qualifications. 1819--, 22 file drawers (1-22),
 fourth tier, bay 5, State Archives Building, Springfield.
- C. (1) Secretary of State. Executive Department Official Records.
 List of Commissions Issued to County Officers. 1809-1918, 5 vol-
 umes, fourth tier, bay 6, State Archives Building, Springfield.
 (2) Secretary of State. Executive Department Official Records.
 List of Commissions Issued to County Officers. 1869--, 4 volumes,
 room 208, second floor, Secretary of State's Office, Executive
 Department, State Capitol Building, Springfield.

Where state records are incomplete or missing, data are secured from
 county records; secondary sources are used only when state and county
 records are deficient or not available.

** Date shown after commissioners' names indicate date of election, unless
 otherwise stated. By a law passed in 1837, the three commissioners
 elected at the biennial election in 1838 drew lots marked one, two, and
 three years, to determine length of term. Thereafter, until 1849, one
 commissioner was to be regularly elected each year to serve a three-year
 term. For length of term of other county board officers, see County
 Board; for length of term of all other officers, see individual office
 essays.

1. Recorded as commissioners (Commissioners' Record, v. A, p. 1).
2. Recorded as commissioner, serving with Short and Hankins (ibid., p. 5).
3. Recorded as commissioners (ibid., p. 12).
4. Recorded as commissioners (ibid., p. 60).
5. Recorded as commissioners. Slover drew the one-year, Funkhouser the
 two-year, and Gillenwater(s) the three-year terms (ibid., p. 101).

Roster of County Officers

County Commissioners' Court (cont.)

Daniel Parkhurst, September 2, 1839 ¹	Isaac Slover, September 2, 1844 ⁵
John Martin, September 7, 1840 ²	N. E. Tarrant, September 1, 1845 ⁶
S. B. Parks, September 6, 1841 ³	Charles Kellim, December 1, 1845 ⁷
N. E. Tarrant, December 1841 ⁴	Thomas Doute, September 7, 1846 ⁸
James Devore, August 1, 1842 (elected)	Isaac Slover, September 6, 1847 ⁹
Thomas J. Gillenwater(s), August 7, 1843 (elected)	Gideon Lowder, September 4, 1848 ¹⁰

County Court

(From 1849 until institution of township form of government in 1861, county business was administered by county judge and two associate justices acting as county board)

William I. Hankins, county judge, John Broom, ¹¹	Thomas J. Gillinwaters, ¹²
December 1, 1849	associate justices,
N. E. Tarrant, John Broom,	November 25, 1856
associate justices,	N. E. Tarrant, county judge,
November 6, 1849 (elected)	H. H. Hules, ¹³ T. J. Gillinwaters,
N. E. Tarrant, county judge,	associate justices,
James Devore, Sam H. Pullin,	November 27, 1857
associate justices,	
December 17, 1853	

1. Presented certificate of election (Commissioners' Record, v. A, p. 139).
2. Presented certificate of election (ibid., p. 191).
3. Presented certificate of election (ibid., p. 240).
4. Recorded as commissioner serving with Martin and Parks (ibid., p. 248).
5. Took seat as commissioner (ibid., p. 317).
6. Took seat as commissioner (ibid., p. 346).
7. Took seat as commissioner (ibid., p. 354).
8. Took seat as commissioner (ibid., p. 376).
9. Took seat as commissioner (ibid., p. 415).
10. Took seat as commissioner (ibid., p. 460).
11. Vice Pullin (ibid., p. 392).
12. County records do not show that Gillinwaters was associate justice until he took oath of office December 7, 1857 (ibid., v. B, p. 455).
13. Recorded as Hules, December 18, 1857 (ibid., p. 469), and thereafter.

Roster of County Officers

County Board of Supervisors

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up the membership of the county board of supervisors. Because these supervisors, severally, are township officials, and only as a group constitute the county board, they are not commissioned by the state as county officers, and no data concerning them, from which a list could be compiled, are kept by the state. For the same reason, county records, too, are inadequate for the compilation of a complete and accurate list of supervisors. Therefore, due to these and other limitations, only those members mentioned in county records in connection with the first recorded meeting of the first board of supervisors are included in this roster.

At the November 6, 1860 election, township organization was approved by a majority of all the votes cast, and on December 2, 1860, the county court appointed Robert H. McCann, John F. Waschefort, and Isaac L. Leith commissioners to divide the county into townships.¹ No copy of their report has been found but on April 22, 1861, the board of supervisors met, in a special meeting, for the first time. Supervisors present and township each represented were as follows.²

Supervisor	Township
William Gillmore,	West
William D. Moore,	Mound
Ashley Tipsword,	Moccasin
David Leith,	Mason
Thos. D. Tennery (Teneny),	Liberty
Jethro Herrold,	Jackson
Uriah C. Webb,	Summit
Calvin Summerman (Zimmerman),	Union
John Monday,	Watson
John F. Kroeger,	Douglas
William D. Lake,	Lucas
James Beard,	Bishop
John J. Warman,	St. Francis
David Leith was elected chairman for the ensuing year.	

The town of Effingham was not a township but by provision of law the president of the board of trustees was to be, *ex-officio*, a member of the board of supervisors. County board records of December 9, 1861, state: "Now this day comes J. J. Funkhouser and claims his seat as a member of the board. Ordered that said John Funkhouser is hereby declared to be a member with all the rights and Privileges given him by an act incorporating the town of Effingham."³

1. Commissioners' Record, v. C, p. 106.

2. *Ibid.*, p. 139.

3. Priv.L.1861, sec. 5, p. 602; Commissioners' Record, v. C, p. 169.

Roster of County Officers

County Judges

William I. Hankins,
December 1, 1849
N. E. Tarrant,
December 17, 1853,
November 27, 1857
John Broom,
November 14, 1861
Samuel B. Parks,
November 17, 1865
Jonathan Hooks,
November 11, 1869
Joseph B. Jones,
November 14, 1873,
December 1, 1877
Sylvester F. Gilmore,
December 1, 1882,
December 6, 1886,
November 29, 1890

William B. Wright,
December 3, 1894
David L. Wright,
November 25, 1898,
November 24, 1902
Michael O'Donnell,
November 22, 1906
Barney Overbeck,
November 21, 1910,
December 1, 1914,
November 18, 1918,
November 17, 1922
Harold G. Taylor,
November 10, 1926,
November 26, 1930
Ray Stroud,
November 27, 1934
M. C. McCallen¹

Judges of Probate and Probate Justices of the Peace
(In 1837 the judge of probate was succeeded by the
probate justice of the peace; in 1849 the probate justice was
succeeded by the county judge as ex-officio judge of the probate court)

Joseph H. Gillispi (Gillespie),
March 16, 1833
William I. Hankins,
September 22, 1835,
December 21, 1835
Thomas McFay,
March 29, 1838,
August 21, 1839

Daniel Parkhurst,
August 18, 1840
Presley Funkhouser,
December 22, 1841,
August 29, 1843
Elisha D. Parkhurst,
August 16, 1844,
August 25, 1847

County Clerks
(Clerks of the county commissioners' court, county court,
and county board of supervisors)

Joseph H. Gillespie,
January 20, 1833²

W. I. Hankins,
June 1, 1835³

1. Official List of State and County Officers, July 1, 1939, compiled by Edward J. Hughes, Secretary of State, p. 16. Hereinafter referred to as Official List of County Officers, July 1, 1939.
2. Appointed clerk pro tem (Commissioners' Record, v. A, p. 1).
3. Appointed (ibid., p. 44).

Roster of County Officers

County Clerks (cont.)

Silas Barnes,	James L. Gilmore,
December 10, 1836, ¹	December 1, 1882
September 5, 1837 ²	
William I. Hankins,	John Le Crone,
September 6, 1837 ³	December 6, 1886,
Newton E. Tarrant (vice Hankins, resigned),	November 28, 1890
December 3, 1838 ⁴	John H. Martin,
Thomas M. Loy,	December 3, 1894,
September 2, 1839 ⁵	November 25, 1898,
William I. Hankins (vice Loy, resigned),	November 24, 1902
August 8, 1842 ⁶	Calvin C. Loy,
Abram B. Kagey (Abraham Kagy), ⁷	November 23, 1906,
August 7, 1843 (elected)	November 29, 1910
Daniel Rinehart,	John A. Craver,
September 6, 1847, ⁸	December 1, 1914,
December 1, 1849	November 25, 1918,
Thomas M. Loy,	November 24, 1922
December 17, 1853	Clem Kroeger,
Daniel Rinehart,	November 22, 1926,
November 27, 1857,	November 26, 1930
January 6, 1862,	Clarence Stockman,
November 17, 1865	November 30, 1934
Joseph W. Filler,	M. C. Weidman ⁹
November 11, 1869,	
November 14, 1873,	
December 1, 1877	

Recorders

(In 1849 the circuit clerk became ex-officio recorder)

John C. Sprigg,	Wilkerson Leath,
March 12, 1833	August 22, 1843,
William I. Hankins,	August 25, 1847
August 15, 1835,	
August 21, 1839	

1. Appointed clerk pro tem (Commissioners' Record, v. A, p. 63).
2. Took oath as elected clerk (*ibid.*, p. 77).
3. Filed bond (*ibid.*, p. 81).
4. Appointed (*ibid.*, p. 116).
5. Filed bond (*ibid.*, p. 139).
6. Appointed (*ibid.*, p. 268).
7. County records show Abraham Kagy took oath September 4, 1843 (*ibid.*, p. 288).
8. Filed bond (*ibid.*, p. 416).
9. Official List of County Officers, July 1, 1939, p. 16.

Roster of County Officers

Circuit Court Clerks
(Prior to 1848, circuit clerks appointed by circuit judges)

John S. Kelly,
September 4, 1848 (elected),
November 23, 1852,
November 14, 1856
John Trapp,
November 15, 1860
James C. Brady,
November 18, 1864
John J. Worman,
November 17, 1868
William C. Secrone,
November 18, 1872,
November 27, 1876
William W. Simpson,
December 1, 1880
Thomas C. Wade,
November 22, 1884
Jesse L. Gilmor,
December 3, 1888

Henry Hubrich,
November 23, 1892,
December 7, 1896,
November 30, 1900
Joseph G. Habing,
November 21, 1904
November 23, 1908,
November 20, 1912
Henry Alt,
December 1, 1916
Clarence M. Phillips,
November 17, 1920
Henry Alt,
November 17, 1924,
November 27, 1928,
December 3, 1932
Fred H. Hardick,¹
November 30, 1936

Sheriffs
(Ex-officio collector to 1839 and from 1844 to 1861)

Henry P. Bailey,
January 16, 1833
John Trapp,
September 10, 1834
William Freeman,
August 27, 1836
John Trapp
August 27, 1838
Thomas J. Rentfrow,
August 18, 1840,
August 1, 1842 (elected),
November 25, 1842,
September 9, 1844
Samuel B. Parks,
August 27, 1846,
September 25, 1848
Thomas J. Rentfrow,
November 20, 1850

Samuel B. Parks,
November 23, 1852
John G. Gamble,
November 27, 1854
Orill (Orville) L. Kelly,
November 13, 1856
Samuel Winter,
November 20, 1858
Orville L. Kelly
November 15, 1860
William Gillmore,
November 18, 1862
Isaac B. Humes,
November 18, 1864
William Gillmore,
November 13, 1866
Hiram Mayfield,
November 17, 1868

1. The name of the circuit clerk is spelled Fred. H. Hardiek in Official List of County Officers, July 1, 1939, p. 16.

Roster of County Officers

Sheriffs (cont.)

William Gillmore,	Joseph Rickelman,
November 18, 1870	November 24, 1902
William C. Baty,	Martin Jokle,
November 18, 1872,	November 22, 1906
November 19, 1874	Matt Tabor,
Thomas Dobbs,	November 29, 1910
November 7, 1876,	Martin Jokle,
December 2, 1878	December 1, 1914
A. H. Kelly,	J. D. Marshall,
December 1, 1882	November 25, 1918
Barney Overbeck,	Matt Taber (Tabor),
December 6, 1886	November 20, 1922
James E. Tedrick,	J. D. Marshall,
November 26, 1890	November 22, 1926
Joseph Rickelman,	John J. Boos,
November 30, 1894	November 26, 1930
Isaiah Doty,	Mark K. Ervin,
November 25, 1898	November 30, 1934
	Thos. A. McDevitt ¹

Coroners

Isaac Pierman,	W. G. Ashley,
January 28, 1833	November 13, 1856
Hickman Lankford,	Daniel H. Kagey,
April 2, 1834,	November 20, 1858
September 21, 1834	B. B. Parkhurst,
Jonathan Parkhurst,	November 15, 1860
August 27, 1836	W. J. A. Fisher,
P. Spalding,	November 18, 1862
August 18, 1840	Thomas G. Vandever,
Clemins Fulling,	November 18, 1864,
May 11, 1842	November 13, 1866
Jordon Sorrels,	William Goodell,
September 14, 1842	November 17, 1868
John S. Mieck,	Leo J. Willien,
August 16, 1844	November 18, 1870
George W. Murphy,	John Kroeger,
August 27, 1846,	November 18, 1872
August 23, 1848	Levi Rentfrow,
Hamilton L. Smith,	November 19, 1874
November 23, 1852	James C. Brady,
Charles Killem,	November 15, 1875
November 17, 1854	

1. Official List of County Officers, July 1, 1939, p. 16.

Roster of County Officers

Coroners (cont.)

William L. Goodell,
November 27, 1876
Gustavus A. Hoffman,
December 2, 1878
John B. Groves,
December 18, 1879,
November 2, 1880 (elected)
F. W. Goodell,
December 1, 1882,
December 4, 1884
Charles A. Vandre,
December 3, 1888
George J. L. Hanmesser,
November 23, 1892
James R. Scott,
December 7, 1896,
November 30, 1900
Joseph B. Ewers,
November 21, 1904

L. A. Brumleve,
November 22, 1906,
November 18, 1908
J. R. Scott,
March 11, 1912
H. A. Long,
November 21, 1912
Henry Tophorn,
December 4, 1916
George W. Givin,
November 17, 1920
H. E. Wachtel,
November 17, 1924
Dr. C. M. Doty,
November 21, 1928,
December 3, 1932,
November 30, 1936

State's Attorneys
(Appointed by the General Asssembly to 1849;
elected by circuit district electorate to 1872)

William H. Gilmore,
November 29, 1872,
November 27, 1876
Rufus C. Harrah,
December 1, 1880,
November 1884,
December 3, 1888,
November 23, 1892
Jacob Zimmerman,
December 7, 1896,
November 30, 1900,
November 21, 1904

Rufus C. Harrah,
November 20, 1908
Byron Piper,
November 20, 1912,
December 1, 1916
Paul Taylor,
November 23, 1920,
November 17, 1924,
November 27, 1928,
December 3, 1932
Lester Wright,
November 30, 1936

Treasurers
(Ex-officio assessors to 1839 and 1844 to 1861;
supervisor of assessments 1898 to date; collector, 1861 to date)

John Loy
March 4, 1833,¹
March 4, 1834,²
March 3, 1835³

Samuel Houston,
June 1, 1835⁴
John C. Gillenwater,
March 2, 1837⁵

1. Appointed (Commissioners' Record, v. A, p. 4).
2. Appointed (ibid., p. 29).
3. Appointed (ibid., p. 41).
4. Appointed (ibid., p. 44).
5. Appointed (ibid., p. 68).

Roster of County Officers

Treasurers (cont.)

John Loy,
September 5, 1837,¹
September 3, 1839²

James Cartwright,
August 7, 1843 (elected)

Daniel Rinehart,
December 2, 1844³

James Levitt,
September 7, 1847⁴

Richard McCraner,
November 6, 1849 (elected)

William H. St. Clair,
November 4, 1851 (elected)

A. B. Kagey,
November 8, 1853 (elected),
November 6, 1855 " ,
November 27, 1857,
November 16, 1859

George W. Barcus,
November 5, 1861 (elected),
November 18, 1863

Jesse R. Surrels,
November 7, 1865 (elected),
November 5, 1867 " ,
November 11, 1869,
November 25, 1871

Henry G. Hobing,
November 14, 1873

Jesse R. Surrels,
November 15, 1875,
December 1, 1877

Noah Jennings,
March 5, 1879

Bernard H. Wernsing,
December 1, 1879,
December 1, 1882

John H. Thoele,
December 6, 1886

Henry B. Wernsing,
November 28, 1890

Christian Alt,
November 30, 1894

Henry W. Dust,
November 25, 1898

John C. Riemann,
November 24, 1902

W. H. Jackson,
November 22, 1906

John Shea,
November 29, 1910

Seth Lee James,
December 1, 1914

Amos B. Mundy,
January 18, 1919

Ella Mae Mundy,
February 10, 1922

S. L. James,
January 13, 1923

Adolph Reutlinger,
December 21, 1926

John T. Thies,
December 15, 1930

Wm. G. Pruemer,
December 17, 1934

John T. Thies⁵

Superintendents of Schools
(School commissioners to 1865)

John Funkhouser,
March 22, 1837,⁶
December 5, 1837,⁷
November 19, 1838⁸

Charles Adams
(vice Funkhouser, resigned),
December 9, 1840⁹

1. Filed bond (Commissioners' Record, v. A, p. 78).
2. Filed bond (ibid., p. 146).
3. Filed bond (ibid., p. 323).
4. Filed bond (ibid., p. 420).
5. Official List of County Officers, July 1, 1939, p. 16.
6. Appointed (Commissioners' Record, v. A, p. 73).
7. Filed bond (ibid., p. 82).
8. Filed bond (ibid., p. 114).
9. Appointed (ibid., p. 209).

Roster of County Officers

Superintendents of Schools (cont.)

Abraham Howard (vice Adams),
April 10, 1841¹
Richard J. Hill,
September 6, 1841²
John W. Woods (vice Hill, deceased),
April 25, 1842³
John O. Scott,
June 7, 1842,⁴
August 7, 1843 (elected)
Charles F. Falley,
September 1, 1845⁵
Charles Kellim,
September 7, 1847⁶
James Devore,
November 6, 1849 (elected)
John O. Scott,
November 4, 1851 (elected)
J. M. Brown,
December 17, 1853
J. B. Carpenter,
November 6, 1855 (elected),
November 27, 1857
Robinson M. Cann,
November 16, 1859
Calvin B. Kitchell,
November 5, 1861 (elected)
William G. N. Fisher,
November 18, 1863,
November 7, 1865 (elected)

Sylvester F. Gilmore,
November 11, 1869
Owen Scott,
November 14, 1873,
December 1, 1877
Jonatha A. Arnold,
December 17, 1881,
December 1, 1882,
December 6, 1886,
November 28, 1890,
November 30, 1894
Charles L. Combs,
November 25, 1898
Claudius E. Mitchell,
November 9, 1901,
November 24, 1902,
November 22, 1906
J. W. Davis,
November 29, 1910,
December 1, 1914,
August 4, 1918
George W. Henderson,
November 7, 1922 (elected),
September 8, 1927,
October 9, 1931
E. B. Tucker,
June 5, 1935

Surveyors

(Beginning September, 1936, surveyor
appointed by county board of supervisors)

William I. Hankins,
April 10, 1833,
August 15, 1835

Samuel Houston,
August 21, 1839

1. Appointed (Commissioners' Record, v. A, p. 228).
2. Filed bond (*ibid.*, p. 241).
3. Appointed (*ibid.*, p. 259). Appointment and bond revoked (*ibid.*, p. 260).
4. Filed bond (*ibid.*, p. 265).
5. Filed bond (*ibid.*, p. 348).
6. Filed bond (*ibid.*, p. 419).

Roster of County Officers

Surveyors (cont.)

Thomas M. Loy,	C. E. Mitchell,
August 22, 1843,	December 1, 1882,
August 25, 1847	November 4, 1884
George Wright,	Alexander S. Moffitt,
December 1, 1849,	December 15, 1887,
November 13, 1851	December 3, 1888
R. A. Howard,	Claudius E. Mitchell,
December 17, 1853,	December 6, 1890
November 21, 1855,	Joseph B. Jonos,
November 27, 1857	November 23, 1892,
James M. Anderson,	December 7, 1896,
November 16, 1859	November 30, 1900
Alexander S. Moffitt,	George T. Austin,
November 5, 1861,	November 21, 1904,
November 18, 1863,	November 3, 1908 (elected),
November 7, 1865	November 5, 1912 "
C. A. Van Allen,	William H. Siders,
December 6, 1867	November 7, 1916 (elected)
Calvin Mitchell,	Oscar Fluegge,
November 11, 1869,	November 2, 1920 (elected)
November 25, 1871	William H. Siders,
Alexander S. Moffitt,	November 4, 1924 (elected),
November 15, 1875	November 6, 1928 "
A. Van Allen,	November 8, 1932
December 1, 1879	

4. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

After its organization in 1833, Effingham County had four courthouses within a period of approximately forty years. Two structures were built in Ewington, the county's first seat of justice, and two at Effingham, the present county seat. The last of these courthouses, built in Effingham in 1871, is still in use today.

The first courthouse - located in Ewington,¹ which in 1835 was a booming town but is now just another among hundreds of Illinois "ghost towns" - was accepted by the county May 20 of that year.² The records give little information concerning the erection of this building beyond brief mention at infrequent intervals. Nor do the records explain the fact that though the courthouse was formally accepted early in 1835, the first meeting recorded as having been held in the building occurred December 14, 1838.³

The story of this courthouse as reconstructed from occasional mention of it in the county board records, is necessarily sketchy. William I. Hankins and James Cartwright received \$200 in county orders on March 5, 1834, in part payment for work done on the courthouse.⁴ There is no previous mention of the county board having awarded any contracts. Nine months later, on December 2, Hankins and Cartwright surrendered to the county the lumber intended for the courthouse and were therefore "released from a certain obligation" entered into on the fourteenth day of December, 1833, concerning the courthouse.⁵

After Hankins and Cartwright had been released from their contract, the county board ordered the clerk to advertise the letting of the contract, and instructed the sheriff to make the award on January 1, 1835, to the lowest bidder.⁶ Details of the actual letting of the contract are not entered upon the county board records, but on March 5, 1835, is recorded that James Cartwright and T. W. Short furnished bond for \$1,177, with William I. Hankins and Miner Winn as sureties.⁷ On May 20, the

1. A full account of the selection of Ewington as the county seat may be found in the Historical Sketch, p. 9.
2. County Commissioners' Record, v. A, p. 43.
3. *Ibid.*, p. 120.
4. *Ibid.*, p. 29.
5. *Ibid.*, p. 36.
6. *Ibid.*
7. *Ibid.*, p. 41.

Housing, Care, and Accessibility of the Records

board accepted the building from the builders, paying \$580.97 1/2 in county orders to them for their work.¹ The building was not completely furnished however, for almost three years later, on January 27, 1838, William I. Hankins was awarded a contract to finish it at a cost of \$110.² Time for completing the work was set for June 5, but later the date was extended to the first Monday in September and again, to the first Monday of October.³ While the courthouse was being constructed, several terms of court were held in the houses of John C. Sprigg and William McConnell;⁴ other meetings convened in the homes of the county clerks.⁵

Two years after this first courthouse had been completely finished, the county board decided on December 9, 1840, to erect a new one of brick, to be 40 feet square.⁶ The proposal of Stern C. Wright to build a courthouse for \$1,550 was accepted February 1, 1841; he was to furnish bond on or before the March term of the county commissioners' court.⁷ But on March 2, new bids were called for.⁸ At a special term held June 15, a contract for \$6,000 was awarded to Edward Cole and John Smith.⁹ One thousand dollars was added to the cost of construction six months later when Cole was allowed this sum for building a cupola, not included in the contract.¹⁰ The finished courthouse was accepted by the county authorities on March 8, 1844.¹¹ There were offices for the county clerk, circuit clerk, the sheriff, and the probate justice of the peace.¹² After March 7, 1850, the county clerk shared his office with the county treasurer and the circuit clerk with the juries.¹³ This courthouse remained essentially as built until 1860 when the county seat was removed to Effingham.¹⁴ Less than \$1,500 was required for its upkeep and repair during its seventeen years of service to the county.¹⁵

1. County Commissioners' Record, v. A, p. 43.

2. Ibid., p. 87.

3. Ibid., p. 99,109.

4. Ibid., p. 29,33.

5. Ibid., p. 55,67,80,83,93,114.

6. Ibid., p. 210.

7. Ibid., p. 215,216.

8. Ibid., p. 226.

9. Ibid., p. 234.

10. Ibid., p. 305,306.

11. Ibid., p. 309.

12. Ibid., p. 321.

13. Ibid., v. B, p. 15.

14. The full treatment of the removal of the county seat from Ewington to Effingham is contained in the Historical Sketch, p. 18,19.

15. County Commissioners' Record, v. A, p. 505; v. B, p. 61,113,128,424, 432,442.

Housing, Care, and Accessibility of the Records

As a result of an election held on the first Monday in September, 1859, in accordance with an act of the legislature, to relocate the county seat of Effingham County, the county board on April 16, 1860¹ ordered the removal of the county seat to Effingham. A block of land was offered and conveyed at no cost to the county by Samuel W. Little and David B. Alexander as a site for the new courthouse. Samuel W. Little, John J. Funkhouser, John M. Mette, George M. Scoles, William B. Cooper, and George Wright were authorized to erect the courthouse free of expense to the county in accordance with the specifications of their bonds. They were to proceed with building should the block of land be accepted.²

On December 12, 1860, Effingham was formally declared the county seat and the county offices and records were ordered removed from Ewington to Effingham.³ The courthouse was received by the county board on the same day, and the first meeting of the board was held there December 15.⁴ The cost of removing the records and furniture to the new courthouse from Ewington amounted to \$66.⁵ The new courthouse, the third in the county and the first in the city of Effingham, was a two-story brick edifice, 40 feet wide, 44 feet long, and 24 feet high, with a graduated cupola rising 27 feet above the roof.⁶ The Ewington courthouse was offered tentatively, March 6, 1861, to the Seminary Association when it would be legally organized.⁷ A year later, to conform with a county board order, the building was tendered as a poorhouse to persons contracting to care for paupers.⁸

By 1869, the courthouse at Effingham was judged to be in an unsafe condition. On March 11, of that year, the board ordered repairs on the building which the grand jury had reported as unsafe for the purpose being used.⁹ But before anything could be done to remedy the situation a fire broke out on the morning of March 17, 1869, completely razing the courthouse.¹⁰

Taking immediate action to provide quarters for county offices and the salvaged records, the county board on March 20, leased a brick house

1. County Commissioners' Record, v. C, p. 43,44; L.1859, p. 43, approved February 18; Circuit Court Record, v. B, p. 522.
2. County Commissioners' Record, v. C, p. 44; Deed Record, v. L, p. 744,745; Circuit Court Record, v. B, p. 522.
3. Commissioners' Record, v. C, p. 93,94.
4. Ibid.
5. Ibid., p. 99,102,112.
6. Circuit Court Record, v. B, p. 522-26.
7. Commissioners' Record, v. C, p. 125,126.
8. Ibid., p. 219,244,311,317,318.
9. Ibid., v. D, p. 198.
10. Ibid., p. 199.

Housing, Care, and Accessibility of the Records

for the use of the county and circuit court clerks, and the sheriff from T. J. Gillenwater for six months at \$30 per month with the provision that the lease could be extended for as long a period of time as the county desired.¹

Plans for the construction of a new courthouse were discussed by the board at various meetings without anything definite being done.² Finally, on April 13, 1870, a committee of supervisors was appointed by the board to inspect the Douglas County courthouse.³ This body reported on the following day.⁴ On April 15, the plans submitted by the architect, William Brown of St. Louis, were adopted by the board.⁵ At the same time, a committee was chosen and instructed to modify the interior plans, to advertise for bids, and to receive proposals in readiness for the next meeting when the proposals would be opened and the contract for the construction let.⁶

The proposals were opened May 23, and the contract awarded to W. E. Grey (also spelled Gray in board records) for \$28,268.⁷ This amount was increased by \$1,385 when stone arches over the windows and quoins were added to the specifications.⁸

To finance the cost of erecting the building, a committee, consisting of B. F. Kagay, J. R. Leith, and H. P. Simonton, was appointed to negotiate the sale of an issue of \$32,000 in county orders in denominations of \$100, \$300, and \$500, bearing ten percent interest. As soon as the procedure could be legally done these orders were to be converted into interest bearing bonds, payable one third in two years, one third in four years, and the balance in six years or sooner at the option of the board.⁹ In addition to the above-mentioned financing, the sum of \$4,000 was contributed by the city of Effingham.¹⁰

When work on the new courthouse was begun cannot be ascertained from county board records, but by June 16, 1870, construction was under

1. Commissioners' Record, v. D, p. 200.
2. Ibid., p. 248,250,251,261,271,291,292.
3. Ibid., p. 295,297,298.
4. Ibid.
5. Ibid., p. 301.
6. Ibid., p. 302.
7. Ibid., p. 303.
8. Ibid., p. 307.
9. Ibid., p. 308.
10. Ibid., p. 298,299,301. An additional appropriation of \$5,875 was made by the county board December 16, 1870, toward the completion of the courthouse (ibid., p. 350).

Housing, Care, and Accessibility of the Records

way as on that day the board adopted a resolution to invite Effingham Lodge No. 149 of the A. F. and A. M. with other lodges in the county to perform the ceremony of laying the cornerstone on July 15, and to extend an invitation to the people of the county to be in attendance.¹ By the middle of December the building committee was able to report to the board the awarding of the contracts for frescoing for \$300, for furnaces for \$845, and office fixtures for \$1,200.² Construction work was finished early in 1871, and after an inspection by the members of the county board February 15, the building committee was authorized two days later to receive the courthouse in the name of the county.³

The actual cost of construction was \$33,226.20. Fixtures for \$3,279.60 and miscellaneous items not properly belonging to courthouse construction amounting to \$1,436.70, raised the total to \$37,942.50.⁴

This courthouse, still in use at present, is a two-story brick building crowned by a mansard roof with a basement and an attic. In its dimensions it is 44 feet high, 70 feet wide and 82 feet in length. Rising above the roof is a large square clock tower. Quoins at the corners of the building, and stone arches over the windows pleasingly break up the flatness of the walls. There are porches with slender pillars at the two entrances on the north and south. The south entrance is the main one.

Considering its many years of continuous use, the Effingham County courthouse has never been a burden to the taxpayers. No unusually large amounts have ever been spent on its maintenance. In 1879 it was painted at a cost of \$220.00 and the treasurer's office decorated for \$71.15. A new roof was erected in 1885 for \$433.05, and some painting done for \$165.00.⁵ Plumbing repairs in 1900 cost the county \$528.95,⁶ a steam heating plant was installed for \$1,813.83 in 1908; and painting and decorating in 1910 cost \$894.60.⁷ In 1935, the county board appropriated \$3,000.00 as its share of the Federal Works Progress Administration project which painted the courthouse inside and out, installed lavatories, relaid floors with oak flooring, equipped the treasurer's office with fixtures, remodeled stairways, plastered walls, and laid cement floors in the basement.⁸

The arrangement of offices and vaults take advantage of everything that enhances the value of the building for governmental use from the

1. Commissioners' Record, v. D, p. 321.
2. Ibid., p. 346.
3. Ibid., p. 354.
4. Ibid., p. 388.
5. Supervisors' Record, v. E, p. 213, 233, 433.
6. Ibid., v. F, p. 509.
7. Ibid., v. G, p. 299, 368, 371.
8. Ibid., v. J, p. 392, 437.

Housing, Care, and Accessibility of the Records

standpoint of utility, easy accessibility, and efficient employment of allowable space. (For detailed floor plans of courthouse, and arrangement of offices, see pages 77-80.)

Besides the offices and depositories listed as being in the courthouse, there are also: the Effingham County Jail, 110 East Washington Street, where records are stored in the office on the first floor; the old age assistance office on the second floor of the Jansen Building, 109 West Jefferson Street; the county home, at Douglas where records are stored in the office of the superintendent; and the office of the probation officer, which is located in his home in Mason, Illinois.

Only the most recent records are kept in the various offices where they are easily accessible. Thus, there are 518 volumes in the various offices, and 3,857 in the vaults and attic storeroom. This makes the distribution about fifteen percent in the offices and eighty-five in the vaults and storeroom. The division of files and miscellaneous records between the offices and vaults is in about the same proportion. (For allocation of records in the depositories according to offices, as well as percentages of records stored therein, see charts on pages 73, 74; for detailed information on the individual depositories, with a description of facilities for the housing of records, see charts on pages 75, 76.)

Provisions for careful maintenance of records with a view toward their best preservation have been always carried out. There apparently has been no serious losses among the records. When fire destroyed the courthouse in Effingham March 17, 1869, there was great fear that many records, especially those of the circuit clerk, had been destroyed by fire. Indeed, the county board on March 26, 1869, instructed J. P. M. Howard to go to Springfield and request the legislature for an appropriation not exceeding \$2,000 for restoration of the records which were believed destroyed by the fire.¹ The records do not reveal whether this appropriation was ever granted. As a matter of fact, an entry in the county board record dated September 17, 1869, shows that J. J. Worman was allowed \$125 for "putting in the file and adjusting papers belonging to the circuit court ...; and D. Rinehart allowed \$75 for adjusting papers belonging to the probate and county courts, being scattered and misplaced by handling at the time of the burning of the courthouse."² This would indicate that there was no serious loss of records at the time.

The records of the various county offices are in good condition. Though each official is custodian of his own records, binding and repair of record volumes is under the direct supervision of the county board. The system of indexing and filing in Effingham County follows practices generally adopted in other counties in Illinois.

1. Commissioners' Record, v. C, p. 202,203.
2. Ibid., p. 245.

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORYIES

OFFICE	VOLUMES	FILES	OTHER	DEPOSITORY AND PERCENT OF RECORDS
County board	69	24 f.b.	122 cartons 14 bdl.	Co. clk.'s off. 13; co. clk.'s vlt. 31; treas.'s vlt. 0.5; attic strm. 55.5
County clerk	3035	486 f.b. 11 f.d.	48 bdl.	Co. clk.'s off. 0.5; co. clk.'s vlt. 9.5; attic strm. 67; treas.'s vlt. 22.5; sh.'s off. 0.5
Recorder	304	1 f.d.	32 pigeon holes	Cir. clk.'s off. 0.5; cir. clk.'s vlt. 95.5; attic strm. 4
County court	83	3 f.b.	---	Co. clk.'s off. 1; co. clk.'s vlt. 94; attic strm. 2.5; off. of prob. officer 2.5
Probate court	143	65 f.b. 3 f.d.	3 bdl.	Co. clk.'s off. 0.5; co. clk.'s vlt. 99; attic strm. 0.5
Circuit court	187	1008 f.b.	11 bdl. 30 pigeon holes	Cir. clk.'s off. 16; cir. clk.'s vlt. 71; attic strm. 13
Sheriff	19	---	---	Sh.'s off. 16; cir. clk.'s off. 21; cir. clk.'s vlt. 10.5; attic strm. 42; off. of co. jail 10.5
Coroner	7	12 f.b.	2 cartons	Cir. clk.'s vlt. 50; attic strm. 50
State's attorney	---	---	---	State's attorney keeps no records in his office; reports by him to circuit court are in cir. clk.'s vlt.
Supervisor of assessment	7	---	150 bdl:	Co. clk.'s vlt. 21; attic strm. 21; treas.'s vlt. 58

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORYIES

OFFICE	VOLUMES	FILES	OTHER	DEPOSITORY AND PERCENT OF RECORDS
Board of review	5	2 f.b.	---	County clerk's vault 100
Collector	17	29 f.d.	2 cabinets 16 bdl.	Treas.'s vlt. 80; attic strm. 20
Treasurer	44	---	4 bdl.	Treas.'s vlt. 98; co. clk.'s vlt. 2
Superintendent of schools	426	6 f.b.	28 bdl.	Off. of supt. of sch. 99; treas.'s vlt. 0.5; co. clk.'s vlt. 0.5
Superintendent of highways	28	5 f.b. 5 f.d.	16 plans	Office of superintendent of highways 100
Surveyor	---	---	---	Record of plats by county surveyor are in cir. clk.'s vlt
Department of public welfare	---	2 f.b. 2 f.d.	---	Old age assistance office 100
County home	1	---	---	Office of superintendent 100
Farm bureau	---	---	---	Reports sent to State and Federal Departments of Agriculture

CHART OF DEPOSITORYIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Effingham County Courthouse, Public Square, Effingham

(Two stories, attic and basement; brick, stone, and wood construction [1870]: 239,888 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommo-dations	Shelving			Records			Housing & Accessi-bility
							Type	Feet	Vols.	Files	Other		
Co. clk.'s off.	1st ne.	12x18x24	wood	plaster wall-board	electric 2 windows	1 table 4 desks 7 chairs	wood	20	11	17 f.b.	12 bdl.	good	
Co. clk.'s vlt.	1st ne.	12x16x17	con-crete	concrete 3 windows	electric 3 windows	2 desks 4 chairs	steel	120	514	563 f.b.	4 bdl.	crowded space needed	
Cir. clk.'s off.	1st w.	12x24x28	wood	plaster wall-board	electric 3 windows	3 tables 3 desks 8 chairs	wood	25	47	1 f.d.	62 pigeon holes	good	
Cir. clk.'s vlt.	1st w.	12x23x11	wood	plaster wall-board	electric 1 window	1 coun-ter	wood	126	402	1020 f.b.	1 carton	crowded space needed	
Sh.'s off.	1st sw.	12x16x18	wood	plaster wall-board	electric 3 windows	2 desks 7 chairs	wood	12	4	--	--	good	
Treas.'s lt.	1st se.	12x16x9	con-crete	concrete 2 windows	electric 2 windows	1 table 2 chairs	wood	70	749	29 f.d.	171 bdl. 2 cab-i-nets	good	
Off. of supt. sch.	1st nw.	12x18x19	wood	plaster wall-board	electric 3 windows	2 desks 6 chairs	wood	20	423	6 f.b.	28 bdl.	good	
Off. of supt. hwy.	2nd ne.	16x18x17	lin-o-leum on wood	plaster 3 windows	electric 3 windows	3 tables 2 desks 10 chairs	wood	4	28	5 f.b.	16 plans	good	
Attic strm.	3rd ne.	10x16x18	wood	plaster 1 window	electric 1 window	1 table 1 chair	wood	100	2192	1 f.d.	59 bdl. 123 car-tions	dusty crowded	

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Effingham County Jail, 110 East Washington Street, Effingham

(Two stories; brick, concrete, and steel construction [1913]; 210,000 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving	Records			Housing & Accessibility		
								Type	Feet	Vols.	Files	Other	
Off. of co. Jail	1st	10x10x10	tile	plaster	electric 1 window	1 table 3 chairs	steel	15	2	---	---	---	good

Jansen Building, 100 West Jefferson Street, Effingham
(Two stories; brick construction, 91,800 cubic feet)

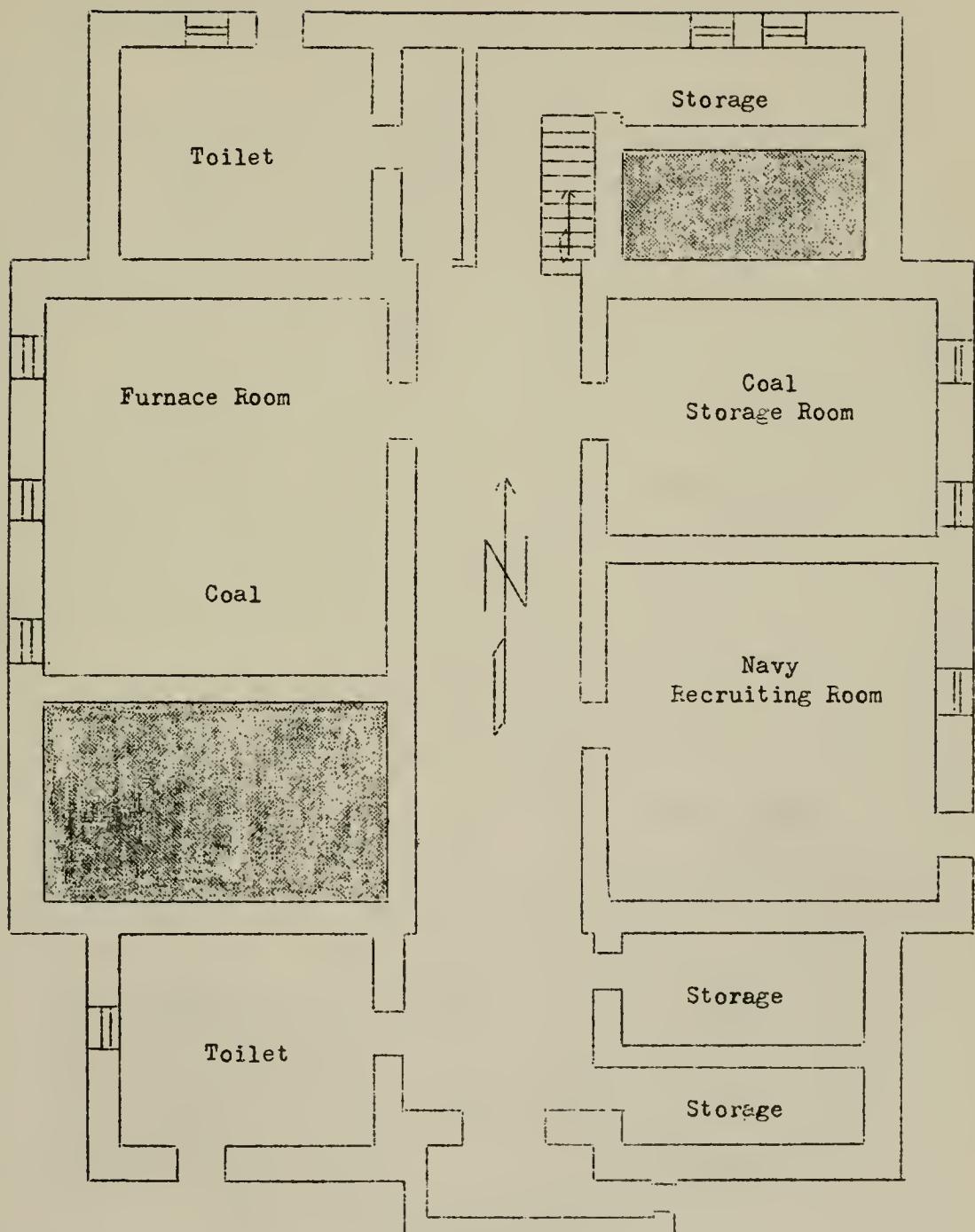
Old age assist. offi.	2nd	12x12x24	wood	plaster	electric 6 windows	3 desks 7 chairs	--	Records			Housing & Accessibility	
								Type	Feet	Vols.	Files	Other
								2 f.b.	---	---	---	good

Otis Shouse's residence, Mason
(One story; frame construction [1896]; 12,600 cubic feet)

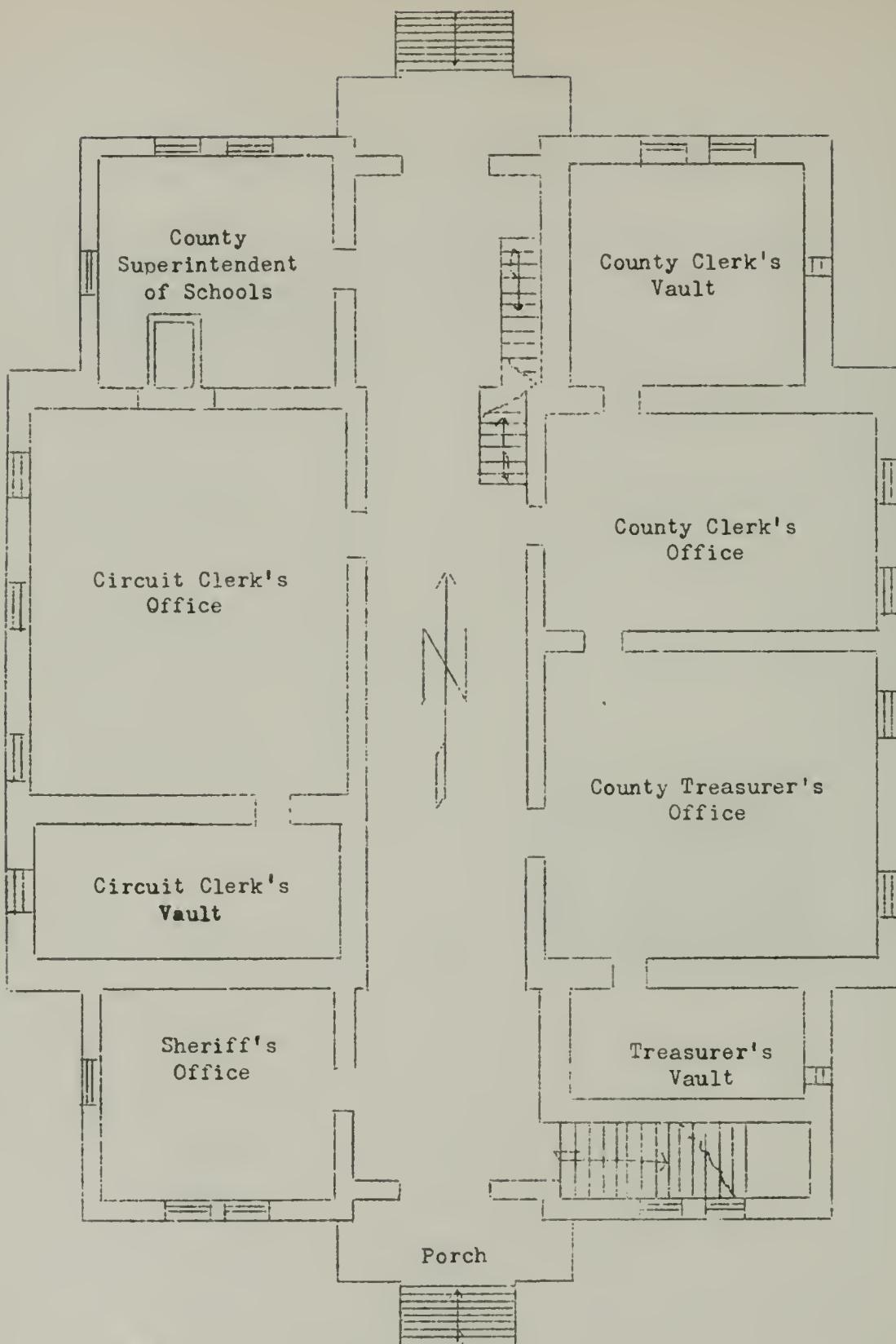
Off. of Prob. officer	1st	10x12x12	wood	plaster	kerosene 2 windows	none	--	Records			Housing & Accessibility	
								Type	Feet	Vols.	Files	Other
								-2	---	---	---	good

County Home, Douglas
(Two stories; frame construction [1870]; 32,832 cubic feet)

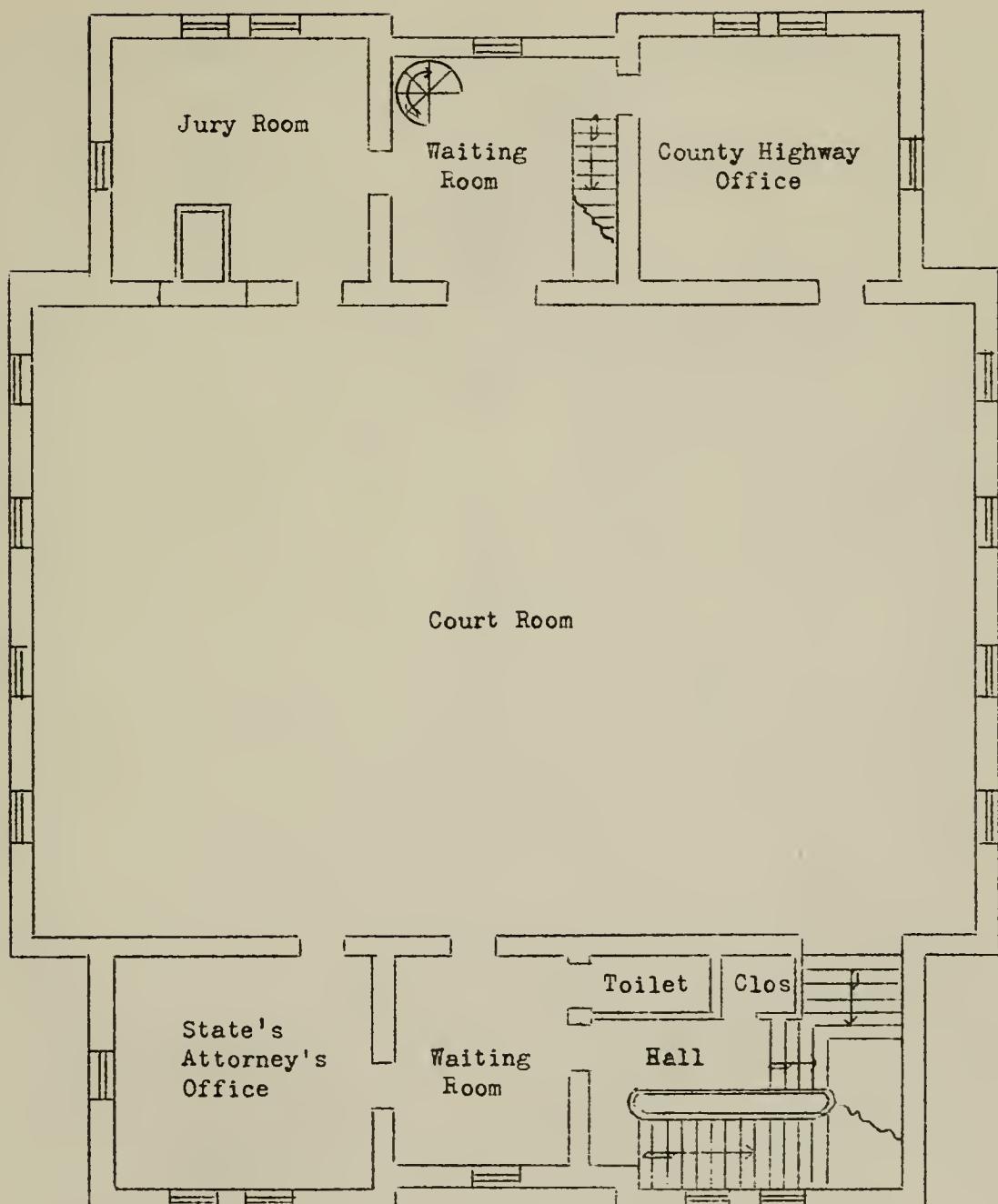
Off. of Aspt.	1st	10x12x15	wood	plaster	gasoline 2 windows	1 table 4 chairs	--	Records			Housing & Accessibility	
								Type	Feet	Vols.	Files	Other
								1	---	---	---	good



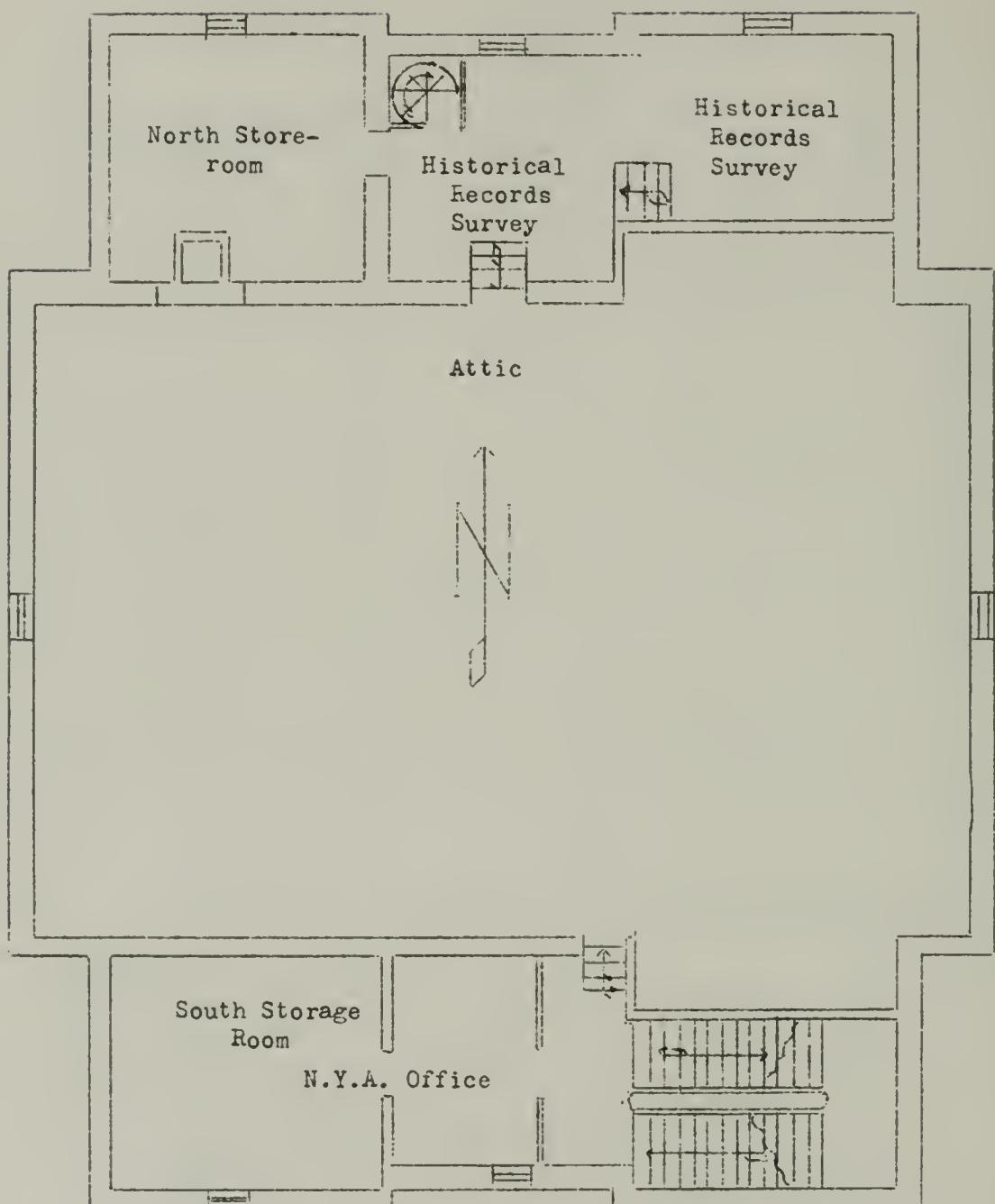
BASEMENT, EFFINGHAM COUNTY COURTHOUSE
EFFINGHAM, ILLINOIS



FIRST FLOOR, EFFINGHAM COUNTY COURTHOUSE
EFFINGHAM, ILLINOIS



SECOND FLOOR, EFFINGHAM COUNTY COURTHOUSE
EFFINGHAM, ILLINOIS



THIRD FLOOR ATTIC, EFFINGHAM COUNTY COURTHOUSE
EFFINGHAM, ILLINOIS

5. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES.

alph.	alphabetical(ly)
app.	appendix
arr.	arranged, arrangement
Art.	Article
assr.	assessor
atty.	attorney
aud.	auditor
bd.	board
bdl.	bundle(s)
bldg.	building
bsmt.	basement
cf.	confer, compare
ch.	chapter(s)
chron.	chronological(ly)
cir.	circuit
clk.	clerk
co.	county
coll.	collector
cont.	continued
cor.	coroner
ct.	court
dept.	department
ed.	edited, edition
f.b.	file box(es)
f.d.	file drawer(s)
f., ff.	and following(page, pages)
fl.	floor
fm.	form
ft.	feet
gon.	general
hdgs.	headings
hdw.	handwritten
hwys.	highways
ibid.	ibidem (in the same place)
i.e.	id est (that is)
Ill.	Illinois Reports (Supreme Court)
Ill. App.	Illinois Appellate Court (Reports,
Ill. S.A.	Illinois Statutes Annotated
in.	inch(es)
L.	Laws (of Illinois)
mi.	mile(s)
n.	footnote(s)
no(s).	number(s)
N.W.	Northwestern Reporter
off.	office
p.	page(s)

Abbreviations, Symbols,
and Explanatory Notes

pr.	printed
Priv. L.	Private Laws (of Illinois)
pro.	probate
rec.	recorder
R.L.	Revised Laws (of Illinois)
rm.	room
R.S.	Revised Statutes (of Illinois)
sch.	school(s)
sec.	section(s)
sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp(s).	township(s)
U.S.R.S.	United States Revised Statutes
U.S.S.L.	United States Statutes at Large
v.	volume(s)
vet.	veterinarian
vice	in place of
vlt.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title set-up, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If the volume or file boxes are unlabeled, no labeling is indicated.

5. Title line cross references are used to complete series for records kept separately for a period of time, and in other records for different periods of time, as in entry 1, "1839-1914 in (County Clerk's Miscellaneous Files), entry 85." They are also used in all artificial entries - records which must be shown separately under their own proper office or section heading even though they are kept in files or records appearing elsewhere in the inventory, as in entry 69, "In Marks, Brands and Estrays, entry 70." In both instances, the description of the master entry shows the title and entry number of the record from which the cross reference is made, as in entry 85, "Also contains Supervisors' Proceedings, 1839-1914, entry 1."

Abbreviations, Symbols,
and Explanatory Notes

Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. Separate third paragraph cross references from entry to entry, and "see also" references under subject headings, are used to show prior, subsequent, or related records which are not part of the same series.

7. Where no explanation of the beginning or for the discontinuance of a record is given, and where no cross reference appears, the information explaining such beginning or discontinuance could not be ascertained.

8. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule.

9. Records may be assumed to be in good condition unless otherwise indicated.

10. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when this data was not ascertainable.

11. Unless otherwise specified, all records are located in the county courthouse.

B. County Offices
and
Their Records



I. COUNTY BOARD

In Illinois, the county board is that body which exercises the corporate or politic power of the county.¹ In Effingham County since 1833,² three bodies have successively acted as a county board: the county commissioners' court, the county court, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.³ The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.⁴ Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.⁵ The first commissioners were elected for an irregular term;⁶ subsequently, it was provided that they should be elected at each biennial general election;⁷ and by an act of 1837 the term was lengthened to three years and staggered, with one new commissioner elected annually.⁸ Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.⁹ Compensation, originally set at the sum of \$2.50 for each day's attendance

1. R.L.1827, p. 107; R.S.1845, p. 130; R.S.1874, p. 306.

2. Effingham County was created in 1831, but was not organized until 1833, during these years it was included within the jurisdiction of Fayette County (L.1831, p. 51).

3. Constitution of 1818, Schedule, Sec. 4.

4. L.1819, p. 175.

5. Ibid., p. 175,176.

6. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April, 1819, until the first Wednesday in August, 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (L.1821, p. 80). In Effingham County, the first commissioners held office from January, 1833 to August, 1834, the next occurrence of a regular biennial election.

7. L.1821, p. 80.

8. L.1837, p. 103,104. In 1838 to initiate the procedure the three commissioners elected drew lots marked one, two, and three years to determine length of term.

9. Ibid., p. 104.

County Board

in holding court,¹ later was reduced to \$1.50.² In 1821, provision was made for the removal of commissioners for malfeasance or nonfeasance of duties, with proceedings as in criminal cases;³ when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200, with removal from office only upon recommendation of the jury.⁴ Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.⁵

In 1848, when Illinois adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law.⁶ In the following legislative session, the General Assembly provided for the election of two justices of the peace to sit with the county judge to transact county business.⁷ Their term of office, like that of the county judge, was set at four years.⁸ This body, styled the county court, was required to hold four sessions annually and when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.⁹ The compensation of the county judge was originally set at \$2.50 for every day of holding court.¹⁰ In 1865 the amount was increased to \$3.00.¹¹

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a majority of the voters in the county should so determine.¹² By provision of the subsequent enabling acts,¹³ a board of supervisors, whose members were to be elected one in each township an-

1. L.1819, p. 176.

2. R.L.1827, p. 205.

3. L.1821, p. 20. Conviction further carried disqualification from holding office for one year.

4. R.L.1827, p. 145.

5. L.1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from the date of vacancy.

6. Constitution of 1848, Art. V, sec. 16,17,19.

7. L.1849, p. 65,66.

8. Constitution of 1848, Art. V. sec. 17; L.1849, p. 62,65,66.

9. L.1849, p. 65.

10. Ibid., p. 63.

11. L.1855, p. 181.

12. Constitution of 1848, Art. VII, sec. 6.

13. L.1849, p. 190-224; L.1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as their effect on the sphere of county government is concerned, there was almost no difference between the two.

County Board

nually,¹ was created to transact all county business in counties adopting township organization.² The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when convenient.³ The board members were compensated at the rate of \$1.50 a day,⁴ and a fine was provided in the sum of \$250, for refusal to perform, or neglect of, duties.⁵

Effingham County was governed by a county court from 1849 to 1861 when township organization was instituted.⁶ In 1870, Illinois adopted a new constitution which, while continuing the provision for township organization in counties so electing,⁷ provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers, styled county commissioners, and by subsequent legislation, was given all powers, jurisdiction, and authority formerly vested in the county court when acting in its administrative capacity.⁸ As Effingham retained township organization from 1861 to the present, the county has not been affected by this change.

Since 1874, population has been recognized as a factor in local representation on the board of supervisors. In that year, each town or city in addition to its regular supervisor, became entitled to one assistant supervisor if it had four thousand or more inhabitants, two if sixty-five hundred, and one more for every additional twenty-five hundred.⁹ The assistant supervisors, whose terms run concurrently with these of the regular supervisors,¹⁰ have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.¹¹

1. L.1849, p. 192; L.1851, p. 38.

2. L.1849, p. 202-4; L.1851, p. 50-52.

3. L.1849, p. 202; L.1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one-third of the members of the board (L.1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L.1899, p. 363).

4. L.1849, p. 203; L.1851, p. 52. In 1861, compensation was increased to \$2.00 a day (L.1861, p. 238).

5. L.1849, p. 203, 204. This fine was reduced in 1851 to \$200 (L.1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R.S.1874, p. 1080).

6. Effingham County adopted township organization in 1860, but the change did not become effective until 1861.

7. Constitution of 1870, Art. X, sec. 5.

8. Ibid., sec. 6; L.1873-74, p. 79, 80.

9. R.S.1874, p. 1075.

10. L.1933, p. 1116.

11. R.S.1874, p. 1078, 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905, 907; L.1933, p. 1115.

County Board

The population requirements in this respect have since changed, but have not affected Effingham County.¹ At present its board of supervisors has sixteen members. The term of office of supervisors, lengthened in 1889 to two years,² was further extended in 1929 to four years.³ Compensation was increased from \$1.50 to \$5.00 a day in 1919,⁴ lowered to \$4.00 in 1933,⁵ and raised again to \$5.00 in 1937,⁶ with an allowance of five cents per mile for necessary travel.

The functions of the Illinois county board, in contrast to its legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties, within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.⁷ Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.⁸ Other legislation by the first General Assembly gave the court power to buy and sell lots whereon to erect county buildings and to contract for their construction;⁹ later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.¹⁰ Care of the indigent was also made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poor-house if necessary.¹¹ Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of

1. In 1931 a different set of population requirements was applied in counties of one hundred thousand or more inhabitants (L.1931, p. 908). Two years later the differentiating figure was reduced to ninety thousand (L.1933, p. 116). Effingham County with its population of 19,013, according to the 1930 census, was not affected at either time (Population Bulletin, p. 8).
2. L.1889, p. 109; L.1917, p. 793; L.1925, p. 605.
3. L.1929, p. 774,775; L.1931, p. 906.
4. L.1849, p. 203; L.1857, p. 186; L.1871-72, p. 444; L.1919, p. 569.
5. L.1933, p. 615.
6. L.1937, p. 601.
7. L.1819, p. 175.
8. Ibid.
9. Ibid., p. 237,238.
10. L.1843, p. 128.
11. L.1819, p. 127; L.1839, p. 138,139.

County Board

school lands;¹ after the creation of the office of county school commissioner,² firmer control was effected through the medium of reports which the commissioner was required to submit to the court.³ The court also had authority to examine the full accounts of the commissioner.⁴ Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,⁵ to appoint judges of elections,⁶ and to allow compensation to officials for services and stationery.⁷ Two panels each of petit and grand jurors were required to be selected. The former were enrolled on the list of taxable inhabitants; the latter only to be freeholders or householders.⁸

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government; neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.⁹

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.¹⁰ The board was given authority to purchase and hold any land within the county for the use of its inhabitants; it was also given authority to make such contracts, and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover, it could make such orders for the disposition, regulation, or use of the corporate property as might seem to be to the interest of the inhabitants.¹¹ Explicit also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by law.¹² The board was also given power to appropriate funds for the construction of roads and bridges in any part of the county whenever a majority of the whole board might deem it proper and expedient.¹³

1. R.L.1827, p. 366.

2. R.L.1829, p. 150.

3. L.1831, p. 175; R.S.18±5, p. 500,501.

4. L.1831, p. 175.

5. L.1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established. See L.1825, p. 168; R.L.1827, p. 256; R.L.1829, p. 5±; L.1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L.1819, p. 90).

6. L.1819, p. 90.

7. Ibid., p. 99.

8. Ibid., p. 255, L.1823, p. 182.

9. Constitution of 1848, Art. V. sec. 19; L.1849, p. 65.

10. The act of February 17, 1851, previously cited (L.1851, p. 35-78).

11. Ibid., p. 50.

12. Ibid., p. 51.

13. Ibid.

County Board

From the enabling legislation of the present constitutional period is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders on the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers.¹
5. The supervision of elections,² the selection of juries;³ the construction and maintenance of roads and bridges;⁴ the care of the indigent, infirm, and disabled.⁵
6. The appropriation of funds necessary to the effecting of its functions;⁶ the raising of such sums through taxation; and in general, the management of county funds and county business.⁷

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.⁸ This appointive power was rescinded in 1837 by an act which made the office elective.⁹

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.¹⁰ When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of its judicial actions. For this purpose two sets of books were to be kept.¹¹

1. R.S.1874, p. 306,307.
2. Ibid., p. 456,458.
3. Ibid., p. 630.
4. Ibid., p. 310.
5. Ibid., p. 757,758.
6. Ibid., p. 307.
7. Ibid., p. 306,307.
8. L.1819, p. 175.
9. L.1837, p. 49.
10. L.1849, p. 63.
11. Ibid., p. 66.

In 1870 the new constitution established the office of county clerk;¹ subsequently, the General Assembly provided that the county clerk should act as clerk of the county board² as well as clerk of the county court.³ From that time to the present, the county board had been served in a ministerial capacity by this officer.

The major record kept by the clerk for the county board is the minutes of its proceedings. This record includes orders to issue warrants on the county treasury; the board's action on committee reports on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.⁴

The clerk also keeps, separately, a register of orders issued on the county treasurer and lists of jury venire. He files and preserves all bills of accounts acted on by the board, and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of other officers.⁵ An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in, his office.⁶

Proceedings of Board
(See also entry 179[x, xi, xv])

1. SUPERVISORS' PROCEEDINGS, 1915--. 122 cartons, 14 f.b. 1839-1914
in (County Clerk's Miscellaneous Files), entry 85.

Original papers of the county board, including correspondence, resolutions, petitions, bills and claims, officers' and committees' reports, financial statements, county budgets, and roll calls. Also contains Road Resolutions, 1915-29, 1932--, entry 2. Arr. by date of proceedings. No index. Hdw.; typed; hdw. on pr. fm.; typed on pr. fm. Cartons 8 x 4 x 4; f.b. 14 x 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$. 122 cartons, 1915-26, attic strm., 3rd fl.; 14 f.b., 1927--, co. clk.'s off., 1st fl.

1. Constitution of 1870, Art. X, sec. 8.

2. R.S.1874, p. 322.

3. Ibid., p. 260.

4. L.1819, p. 6,28,77,127,334,335,352; R.L.1829, p. 151-53; L.1831, p. 89,90; L.1835, p. 131,132,136; L.1839, p. 71,72; R.S.1845, p. 237-342,403,437; L.1849, p. 68; L.1861, p. 234-57; R.S.1874, p. 322.

5. R.L.1827, p. 366; L.1845, p. 169; R.S.1845, p. 156; L.1861, p. 237; R.S.1874, p. 325.

6. Ibid., p. 322.

County Board - Disposition
of Accounts

2. ROAD RESOLUTIONS, 1930-31. 1 f.b. (566). 1839-1914 in (County Clerk's Miscellaneous Files), entry 85; 1915-29, 1932-- in Supervisors' Proceedings, entry 1.

Resolutions to designate certain roads as state-aid roads, showing legal description of road, type of construction, amount of appropriation, and date of approval or rejection. No obvious arr. No index. Hdw. 14 x 10 1/2 x 4 1/2. Co. clk.'s vlt., 1st fl.

3. SUPERVISORS' RECORD, 1833--. 11 v. (A-K). Title varies: Commissioners' Record, v. A-D, 1833-74.

Record of proceedings of the county board, including petitions for sale of school lands, 1833-40, showing date of meeting, names of chairman and members of the board, committees' reports, resolutions, petitions, correspondence, reports of county officers, township and county officers' bonds, action on claims, and all other county business. Also contains Assessors' Bond Record, 1839-98, entry 80; Supervisors' Bonds, 1833-1913, entry 81; and Town Collectors' Bond Record, 1860-96, entry 113. Arr. by date of meeting. Indexed alph. by title of subject. 1833-1900, hdw.; 1901--, typed. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Disposition of Accounts
(See also entries 1, 3, 239-251)

County Budget and Appropriations

4. APPROPRIATION RECORD, COUNTY CLERK, EFFINGHAM COUNTY, 1933--. 2 v. Record of amounts appropriated to county offices, showing name of fund, date and amount appropriated, amount of disbursement, and balance available. Arr. by date of appropriation. No index. Hdw. under pr. hdgs. 200 p. 12 x 16 x 1 1/2. Co. clk.'s vlt., 1st fl.

Bills and Claims

5. (MOTOR FUEL TAX CLAIMS), 1928--. 1 f.b.

Claims paid from motor fuel tax fund, showing section and claim numbers, names of claimant, superintendent of highways, and county clerk, date, amount, and nature of claim, and date allowed. Arr. by date of claim. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

6. COUNTY HIGHWAY CLAIMS, 1933--. 2 f.b. (534, 544); 12 bdl.

Claims for labor and material used in right-of-way maintenance and construction of roads, showing date, type, and amount of claim, name of claimant, and date of payment. No obvious arr. No index. Hdw. on pr. fm. F.b. 10 x 4 1/2 x 14; bdl. 14 x 4 x 4. F.b. 534, 544, 1933-36, co. clk.'s vlt., 1st fl.; 12 bdl., 1937--, co. clk.'s off., 1st fl.

County Board - Disposition
of Accounts

Registers of County Orders (See
also entry 85[v])

7. REGISTER OF COUNTY ORDERS, 1839--. 6 v. (2 not lettered, B-D, 1
not lettered).

Register of county orders, showing date and number of order, name of re-
cipient, purpose and amount of payment, and date of cancellation. Also
contains Register of Jury and Miscellaneous Orders (Birth and Death
Warrant Register), 1852-1902, 1919--, entry 10. Arr. by date of order.
No index. Hdw. under pr. hdgs. 120 - 300 p. 7 x 6 x $\frac{1}{2}$ - 16 x 12 x 2.
1 v. not lettered, 1839-52, attic strm., 3rd fl.; 2 v. not lettered, v.
B-D, 1853--, co. clk.'s off., 1st fl.

8. HIGHWAY WARRANT REGISTER, 1919--. 2 v.

Register of highway warrants issued, showing number, date, purpose, and
amount of order, and names of payee and payer. Arr. by date of order.
No index. Hdw. under pr. hdgs. 150 p. 16 x 14 x 1. Co. clk.'s vlt.,
1st fl.

9. MOTOR FUEL RECORD (Warrant Register), 1931--. 2 v. Title varies:
Motor Fuel Tax Record of Bonds and Orders, 1 v., 1931-32.

Register of motor fuel tax warrants, showing date, purchase order, requisi-
tion, and warrant numbers, name and address of payee, purpose and amount
of claim, and amount of warrant. Arr. by date of warrant. No index. Hdw.
under pr. hdgs. 300 - 700 p. 16 x 14 x 1 - 18 x 14 x $2\frac{1}{2}$. Co. clk.'s vlt.,
1st fl.

10. REGISTER OF JURY AND MISCELLANEOUS ORDERS (Birth and Death Warrant
Register), 1903-18. 1 v. 1852-1902, 1919-- in Register of County
Orders, entry 7.

Register of birth and death warrants, including bounty and jury warrants
and witness fees, showing name of recipient, date, number, purpose, and
amount of order, and date of cancellation. Arr. by date of order. No
index. Hdw. under pr. hdgs. 638 p. 16 x 14 x 4. Co. clk.'s vlt., 1st fl.

Cancelled County Orders

11. STUBS OF COUNTY WARRANTS, 1852--. 33 v.

Stub record of county orders, showing number, amount, purpose, and date of
order, and name of payee. Arr. by order no. No index. Hdw. on pr. fm.
200 p. 16 x 12 x 2. 30 v., 1852-1932, attic strm., 3rd fl.; 2 v., 1933-36,
co. clk.'s vlt., 1st fl.; 1 v., 1937--, co. clk.'s off., 1st fl.

12. JURY CERTIFICATES, 1852--. 5 v.

Stub record of jury certificates, showing name of juror, date of service,
mileage allowed, and total amount of fees. Arr. by certificate no. No
index. Hdw. on pr. fm. 200 p., 16 x 12 x 1 - 16 x 12 x 2. 4 v.,
1852-1911, attic strm., 3rd fl.; 1 v., 1912--, co. clk.'s vlt., 1st fl.

13. COUNTY WARRANTS - ENGLISH SPARROWS, 1891--. 1 v. Last entry 1902.

Stub record of sparrow bounty warrants, showing date, number, and amount of
warrant, number of sparrows killed, and name of recipient. Arr. by date of
warrant, No index. Hdw. on pr. fm. 200 p. 17 x 14 x 2. Attic strm.,
3rd fl.

County Board - Management
of County Properties

14. COUNTY HIGHWAY FUNDS, 1919--. 1 v., 1 bdl.
Stubs of county highway warrants, including motor fuel tax warrants, 1928--, showing date, route, claim and warrant numbers, purpose and amount of warrant, and name of recipient. Arr. by warrant no. No index. Hdw. under pr. hdgs. V. 225 p. 16 x 14 x 1 $\frac{1}{2}$; bdl. 14 x 4 x 4. Co. clk.'s vlt., 1st fl.

15. CANCELLED COUNTY ORDERS, 1934--. 3 f.d. (508, 509, 520).
Cancelled county orders showing names of payee, county clerk, and treasurer, amount and purpose of order, and dates of issuance and cancellation. Arr. by date of cancellation. No index. Hdw. on pr. fm. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s off., 1st fl.

Pension Fund Account
and Applications (See
also entries 143, 239)

16. MOTHERS' AND BLIND PENSIONS, 1935--. 1 f.b. 1913-34 in (County Clerk's Miscellaneous Files), entry 85.
Applications for mothers' and blind pensions, showing name of petitioner, date, name, age, and residence of applicant, proceedings on petition, and date of filing. Arr. by date of application. For index, see entry 146. Hdw. on pr. fm. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

17. PENSION RECORDS BLIND AND MOTHERS', 1913--. 2 v. (1, 2).
Record of applications for mothers' pensions, including blind pension applications, 1916--, showing date, name, age, and residence of applicant, report of medical examiner, name and age of children, court order, and amount of pension allowed. Arr. by date of application. Indexed alph. by name of pensioner; for sep. index, see entry 146. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

Management of County Properties and Roads

Bond Issues (See also
entry 179[xv])

18. REGISTER OF SCHOOL DISTRICT BONDS, 1915--. 2 v. (1 not numbered, 1). Title varies: Register of Bonds, Hard Roads, 1915-27. 1 v.
Lists of school district and hard road bonds, showing date, number, and amount of bond, rate of interest, township and range numbers, and names of school, village, and clerk. Arr. by date of bond. Indexed alph. by names of school and township. Hdw. under pr. hdgs. 162 p. 14 x 10 x 1 1/2. Co. clk.'s vlt., 1st fl.

County Board - Jury
Lists

(19-21)

Insurance (See also
entry 179[vii])

19. INSURANCE POLICIES, 1936--. 1 bdl.
Insurance policies on county buildings, showing names of building and insurance company, rate and date of policy, date of expiration, and description of property. No obvious arr. No index. Typed on pr. fm. 12 x 4 x 3. Treas.'s vlt., 1st fl.

Poor Farm

20. RECORD OF PAUPERS' GRAVES, 1895-96. 1 v.
Record of locations of paupers' graves at poor farm, showing name of deceased, date of death, and location of grave. Arr. by date of death. No index. Hdw. Writing faded, paper poor. 100 p. 17 x 8 x 1/2. Co. clk.'s vlt., 1st fl.

Jury Lists
(See also entries 128, 181, 209, 210, 239)

21. JURY LISTS, 1920--. 2 f.b. (554, 559). 1862-1919 in (County Clerk's Miscellaneous Files), entry 85.
Lists of grand and petit jurors selected by board of supervisors, showing names and addresses of jurors, dates of selection and drawing, and name of court. No obvious arr. No index. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body in Effingham County from 1833, the date of organization of the county, to 1849.¹ The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court," and provided for the quadrennial election of a "clerk of the county court."² In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and two justices of the peace.³ In 1860 Effingham County adopted the township form of government necessitating the election of a board of supervisors to supplant the county court as the county administrative body.⁴ Accordingly, the clerk of the county court became ex-officio clerk of the board of supervisors.⁵

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to those incumbents as "county clerks" when defining duties relating to county business as distinct from their duties in other capacities. The Constitution of 1870 specifically provided for a county clerk⁶ who has continued to act to the present in this capacity, and also as clerk of the county board⁷ and clerk of the county court.⁸ The revised statutes of 1874 adopted the use of a distinction of titles for each of his ex-officio capacities, applying the title "county clerk" only when referring to his duties as such.⁹ It is the performance of these duties that gives rise to the records dealt with in this section.

The clerk was an appointee of the county commissioners' court in Effingham County from 1833 to 1837.¹⁰ In the latter year the office became elective with a four-year term,¹¹ which was reduced to a two-year term in

1. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175.
2. Constitution of 1848, Art. V, sec. 16, 18, 19; L.1849, p. 62, 63.
3. L.1849, p. 65, 66.
4. Constitution of 1848, Art. VII, sec. 6; L.1851, p. 38, 45, 50.
5. L.1851, p. 52; L.1861, p. 237.
6. Constitution of 1870, Art. VI, sec. 18 and Art. X, sec. 8.
7. R.S.1874, p. 322.
8. Ibid., p. 260.
9. Ibid., p. 260, 322.
10. L.1819, p. 175.
11. L.1837, p. 49.

County Clerk

1847.¹ A bond of \$1,000 was required.² The clerk of the county court served for a four-year term and was bonded in the sum of \$3,000.³ The Constitution of 1870 and the revised statutes 1874, establishing the office of county clerk, provided for his election for a quadrennial term and that the amount of his bond be set by the county board.⁴ The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.⁵ The county seal is kept by the clerk and is used by him when required.

In general the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from each performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list the lands and lots subject to taxation in such books;⁶ they are then turned over to the supervisor of assessments who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk.⁷ Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes assessments

1. L.1845, p. 28. Effective in 1847.
2. L.1819, p. 176,177; R.L.1833, p. 143; R.S.1845, p. 131.
3. L.1849, p. 63,64.
4. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 321.
5. R.S.1874, p. 321.
6. L.1867, p. 106; L.1871-72, p. 19,20,32; L.1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L.1825, p. 173; R.L.1827, p. 329; L.1839, p. 3,4; L.1847, p. 79).
7. The first assessment officer was the county treasurer (R.L.1827, p. 328-36). In 1839 this function was performed by the district assessors, who received from the county clerk copies of the auditor's transcripts (L.1839, p. 3,4). The treasurer resumed these duties in 1844 (L.1843, p. 231), retaining them until the institution of township organization in 1861 resulted in township assessors acting in each township (L.1851, p. 38). The treasurer now acts as ex-officio supervisor of assessments (L.1898, p. 36-44).

County Clerk

between districts, certifying corrections and revisions to the county clerk.¹ The county clerk then reports the entire assessment list to the State Tax Commission for equalization, the equalized list then being used by the county clerk in ascertaining tax rates and extending taxes.²

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.³

The books are next turned over to the county collector who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.⁴ The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."⁵

An extensive group of records of vital statistics is kept by the county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.⁶ One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.⁷ It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records existed in Effingham County prior to 1877, the first law, 1819, requiring no public record to be kept, and that of 1842 providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accoucheurs.⁸ Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901, death certificates issued by physicians, midwives, or coroners were to be presented to town clerks who as the local registrars issued burial permits and forwarded the certificates to the

1. L.1898, p. 36-44.

2. L.1919, p. 723.

3. L.1871-72, p. 11,13,16; L.1937, p. 1011,1012.

4. L.1849, p. 124,125; L.1871-72, p. 55; L.1931, p. 759.

5. L.1838-39, p. 15; L.1871-72, p. 40; L.1879, p. 250.

6. L.1819, p. 233.

7. L.1842-43, p. 210-12.

8. L.1877, p. 209.

County Clerk

county clerk.¹ In 1903, certificates of death were to be turned over to the State Board of Health, which then delivered to the county clerk all certificates so received.² Later it was provided that the township clerks should annually deposit with the county clerk a complete set of the records of births, stillbirths and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safekeeping of such records.³ From the earliest date, the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.⁴

Since the organization of Effingham County in 1833 the county clerk, or clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.⁵ The clerk was also required to keep a separate register of marriages in addition to his file of certificates.⁶ Before 1877, persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.⁷ Although a record of applications for marriage licenses has been kept by the clerk in this county since 1904, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.⁸ The same act provided that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases, such certificates to be filed with the application for license to marry.⁹ Marriage records have been kept in Effingham County since 1839.

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,¹⁰ poll books,¹¹ and certificates of election,¹² and keeping a record of registers of elections,¹³ petitions,¹⁴ and marked ballots,¹⁵ tally sheets,¹⁶ and election returns

1. L.1901, p. 302,303.
2. L.1903, p. 315-18.
3. L.1915, p. 667.
4. L.1877, p. 209.
5. L.1819, p. 27; R.S.1845, p. 35⁴; R.S.1874, p. 694.
6. R.L.1827, p. 289.
7. L.1877, p. 130.
8. L.1937, p. 909.
9. Ibid.. p. 910.
10. L.1891, p. 113; L.1911, p. 311.
11. L.1871-72, p. 386.
12. L.1819, p. 96; L.1821, p. 79; L.1823, p. 64; L.1885, p. 176.
13. L.1865, p. 59; L.1871-72, p. 386.
14. L.1911, p. 310,311; L.1929, p. 422.
15. L.1891, p. 118.
16. L.1885, p. 143.

County Clerk

which are transmitted to him by the judges of election.¹ Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.² In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.³ Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.⁴

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.⁵ Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these offices are made to the county clerk who enters such fact in the justices' and constables' record.⁶

The clerk is also charged with issuing licenses to taverns,⁷ ferries,⁸ (et cetera), and keeping records of the same. Other records kept are: those relating to estrays;⁹ registers of professionals, including physicians,¹⁰ midwives,¹¹ dentists,¹² chiropodists,¹³ and veterinarians;¹⁴ list of county officers; list of town officers which is furnished annually by the town clerk;¹⁵ record of notaries public;¹⁶ and book of state civil service rules.¹⁷ Referring to his list of town officers, the county clerk reports annually to the State Department of Health the names and addresses of

1. L.1819, p. 86; L.1821, p. 77; L.1823, p. 64; L.1871-72, p. 389.
2. L.1917, p. 444.
3. L.1889, p. 271,322.
4. L.1909, p. 352.
5. R.S.1845, p. 396,397; L.1861, p. 237,238; R.S.1874, p. 325; L.1895, p. 188.
6. L.1895, p. 188.
7. L.1819, p. 77-79; L.1933-34, Second Sp. Sess., p. 64-66.
8. R.L.1827, p. 221; R.S.1874, p. 530,
9. L.1819, p. 206,207; R.S.1874, p. 483.
10. L.1877, p. 209; L.1899, p. 275; L.1923, p. 441,442.
11. Ibid.
12. L.1881, p. 79; L.1899, p. 273; L.1909, p. 279; L.1933, p. 711.
13. L.1899, p. 280; L.1935, p. 995.
14. L.1917, p. 591.
15. L.1861, p. 226; R.S.1874, p. 1077.
16. L.1871-72, p. 575; R.S.1874, p. 721; L.1875, p. 88.
17. L.1905, p. 115.

the supervisor, assessor, and clerk of each township, and the dates of the expiration of their terms of office.¹

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office² are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.³ Also included are his record-keeping duties as ex-officio clerk of the county court, with its resulting duties in relation to probate matters.⁴ The clerk is also required to keep jury lists⁵ and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of these records or papers to any person upon request and payment of the required fee.⁶

Taxation

(See also entries 85[iii, vii, x], 221-238)

Lists of Taxable Property, Levies

22. TAX LEVIES, 1879-1927. 43 bd1. 1856-74, 1928-- in (County Clerk's Miscellaneous Files), entry 85.

Tax levies for corporations, towns, villages, school districts, and roads and bridges with attached ordinances, showing name and number of township and school district, amount needed, description of property, name of town or village, total sum to be levied, certified statement of board of trustees and town clerk, and dates of levy and filing. Arr. by date of levy. No index. Hdw. on pr. fm. 9 x 4 x 1. Attic strm., 3rd fl.

23. DOCKET OF RATES AND TAXES, 1883--. 3 v. (1-3).

Docket of tax rates and amounts wanted by townships, showing name of township, amount wanted, purpose, valuation of property, rate of tax, year of levy, and signature of county treasurer. Arr. by date of levy. No index. Hdw. under pr. hdgs. 300 p. 16 x 11 x 1 $\frac{1}{2}$. V. 1, 1883-1904, attic strm., 3rd fl.; v. 2, 3, 1905--, co. clk.'s vlt., 1st fl.

1. L.1923, p. 480.
2. R.S.1874, p. 322.
3. L.1861, p. 239; R.S.1874, p. 322.
4. R.S.1874, p. 260.
5. Ibid., p. 630.
6. Ibid., p. 321.

24. ASSESSOR'S BOOKS, 1852--. 900 v. (Effingham County as a whole, Real Estate and Personal Property, 1852-60. 9 v. Banner Township, Real Estate and Personal Property, 1874-98. 18 v. Missing: 1874-77, 1882, 1893, 1895. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Bishop Township, Real Estate and Personal Property, 1861-98. 10 v. Missing: 1861-63, 1865-79, 1882-89, 1892, 1893. Personal Property, 1899--. 4 v. Real Estate, 1899--. 10 v. Douglas Township, Real Estate and Personal Property, 1861-98. 15 v. Missing: 1869, 1875-79, 1882-98. Personal Property, 1899--. 40 v. Real Estate, 1899--. 8 v. Missing: 1903-10. Jackson Township, Real Estate and Personal Property, 1861-98. 3 v. Missing: 1861-64, 1886-93, 1895-98. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Liberty Township, Real Estate and Personal Property, 1861-98. 30 v. Missing: 1864-66, 1873, 1874, 1878, 1879, 1884. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Lucas Township, Real Estate and Personal Property, 1861-98. 7 v. Missing: 1863-90, 1892-94. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Mason Township, Real Estate and Personal Property, 1880-98. 4 v. Missing: 1861-79, 1881-89, 1891, 1892, 1895-98. Personal Property, 1899--. 40 v. Real Estate, 1899--. 9 v. Missing: 1903-6, 1915-18. Moccasin Township, Real Estate and Personal Property, 1861-98. 15 v. Missing: 1861-64, 1868, 1871, 1872, 1875-79, 1884, 1887-89, 1891-97. Personal Property, 1899--. 10 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Mound Township, Real Estate and Personal Property, 1861-98. 17 v. Missing: 1861-79, 1891, 1897. Personal Property, 1899--. 40 v. Real Estate, 1899--. 9 v. Missing: 1903-10. St. Francis Township, Real Estate and Personal Property, 1861-98. 28 v. Missing: 1876, 1878, 1879, 1889-91, 1893-95, 1898. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Summit Township, Real Estate and Personal Property, 1861-98. 15 v. Missing: 1862-77, 1883-85, 1890-92, 1894. Personal Property, 1899--. 32 v. Missing: 1908-15. Real Estate, 1899--. 10 v. Missing: 1903-6. Teutopolis Township, Real Estate and Personal Property, 1861-98. 7 v. Missing: 1861-73, 1865-75, 1877-81, 1883, 1886-97. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Union Township, Real Estate and Personal Property, 1861-98. 12 v. Missing: 1861-77, 1879, 1883, 1885, 1890, 1891, 1894, 1895, 1897, 1898. Personal Property, 1899--. 10 v. Real Estate, 1899--. 10 v. Missing: 1903-6. Watson Township, Real Estate and Personal Property, 1861-98. 5 v. Missing: 1861-70, 1872-79, 1881-94, 1898. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6. West Township, Real Estate and Personal Property, 1861-98. 3 v. Missing: 1861-79, 1881, 1883-85, 1887-98. Personal Property, 1899--. 40 v. Real Estate, 1899--. 10 v. Missing: 1903-6).

Lists of taxable real estate and personal property, showing name of owner, description of property, assessed and equalized values, tax spread, and total tax. Also contains Dog Tag Record, 1928--, entry 72. Personal

property arr. alph. by name of owner; real estate arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 35 - 100 p. 17 x 15 x $\frac{1}{2}$ - 16 x 15 x $\frac{1}{2}$. 525 v., 1852-1918, attic strm., 3rd fl.; 375 v., 1919--, treas.'s vlt., 1st fl.

25. RAILROAD TAX BOOK, 1870--. 6 v. (1 not lettered, B-F).

Missing: 1874-82.

Lists of taxable railroad property, showing name of railroad company, description of property, number of acres of right of way, miles of track, rolling stock, value as listed by railroad company, equalized value as fixed by county and state boards, rate, tax spread, amount of back taxes, and total tax. Arr. alph. by name of railroad. No index. Hdw. under pr. hdgs. 85 p. 18 x 12 x $\frac{1}{2}$. 1 v. not lettered, 1870-73, attic strm., 3rd fl.; v. B-F, 1883--, treas.'s vlt., 1st fl.

26. TELEPHONE AND TELEGRAPH CORPORATION TAX RECORD, 1873--. 4 v. (1 not numbered, 2-4). Title varies: Telephone and Telegraph Tax Book, 1 v. not numbered, v. 2, 1873-1924.

Schedules of taxes on properties of telephone and telegraph companies, showing name of company assessed, legal description of property, tax spread, total tax, and date. Arr. alph. by name of company. No index. Hdw. under pr. hdgs. 150 p. 18 x $12\frac{1}{2}$ x $\frac{1}{2}$. 1 v. not numbered, 1873-1911, attic strm., 3rd fl.; v. 2, 3, 1912-34, co. clk.'s vlt., 1st fl.; v. 4, 1935--, treas.'s vlt., 1st fl.

27. ABSTRACT OF ASSESSMENT AND TAXES, 1872--. 6 v. (A, B, 4 not lettered).

Statements of footings of columns of assessment books, showing full and assessed values on lands, lots, personal property, real estate, and unimproved and improved lands. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 80 p. 17 x 15 x 1. V. A, 1872-94, attic strm., 3rd fl.; v. B, 4 not lettered, 1895--, co. clk.'s vlt., 1st fl.

28. ABSTRACTS OF ASSESSMENTS AND TAXES, 1873-82, 1932--.

2 v. (A, 1 not lettered).

Abstracts of assessments of real and personal property, showing date, taxes levied, description of real and personal property, total assessed value, total value as fixed by the state board of review, and total tax spread. Subsequent to 1882 and prior to 1932, Abstracts of Assessments (Personal Property), entry 29, and Abstract of Assessment and Taxes (Lands and Lots), entry 30, kept separately. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 75 p. 16 x 14 x 1. V. A, 1873-82, attic strm., 3rd fl.; 1 v. not lettered, 1932--, co. clk.'s vlt., 1st fl.

29. ABSTRACTS OF ASSESSMENTS (Personal Property), 1883-1931. 4 v. 1873-82, 1932-- in Abstracts of Assessments and Taxes, entry 28.

Abstracts of personal property assessments, showing names of township and owner, itemized list of property, total assessed value, date, and tax spread. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 75 p. 16 x 14 x 1. 1 v., 1883-88, attic strm., 3rd fl.; 3 v., 1889-1931, co. clk.'s vlt., 1st fl.

30. ABSTRACT OF ASSESSMENT AND TAXES (Lands and Lots), 1883-1931. 1 v. 1873-82, 1932--. in Abstracts of Assessments and Taxes, entry 28.

Statement of assessments of real estate property, showing names of township and owner, date, taxes levied, legal description of real estate, total assessed value, total value as set by board of review, and tax spread. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 75 p. 16 x 14-x 1. Co. clk.'s vlt., 1st fl.

31. SPECIAL ASSESSMENT RECORD, 1912--. 1 v. (1).

Lists of special assessments for public improvements in the City of Effingham, showing date, type of improvement, legal description of property, name and address of owner, amount of assessment, and total amount of tax. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 160 p. 17 x 15 x 1 1/2. Co. clk.'s vlt., 1st fl.

32. LAND BOOK, 1833-79. 2 v.

Lists of taxable lands, showing name of owner of property, number of acres, and legal description of property. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 200 p. 16 x 14 x 1. Co. clk.'s vlt., 1st fl.

33. ENTRIES OF CONVEYANCE, LANDS, 1872-73. 1 v.

Entries of land conveyances, compiled in assessment of taxes, showing names of grantor and grantee, kind of instrument, legal description of property, number of acres, and date of conveyance. Arr. by instrument no. Indexed alph. by name of owner. Hdw. under pr. hdgs. 400 p. 18 x 13 x 1 1/2. Co. clk.'s vlt., 1st fl.

34. ENTRIES OF CONVEYANCE, LOTS, 1872-73. 1 v.

Entries of lot conveyances, compiled in assessment of taxes, showing names of grantor and grantee, type of instrument, legal description of property, date of conveyance, and consideration. Arr. by instrument no. Indexed alph. by name of owner. Hdw. under pr. hdgs. 300 p. 18 x 13 x 1 1/2. Co. clk.'s vlt., 1st fl.

Collection, Abatement

35. COLLECTOR'S BOOKS (Real Estate and Personal Property), 1850--. 1048 v. (Effingham County as a whole, 1850-60. 5 v. Missing: 1852, 1853, 1858-60.

Banner Township, 1874--. 58 v. Missing: 1874-80.

Bishop Township, 1861--. 76 v. Missing: 1891, 1910.

Douglas Township, 1861--. 57 v. Missing: 1861-80, 1890.

Jackson Township, 1861--. 69 v. Missing: 1863, 1867-69, 1872-74, 1878, 1879.

Liberty Township, 1861--. 76 v. Missing: 1878, 1879.

Lucas Township, 1861--. 76 v. Missing: 1878, 1879.

Mason Township, 1861--. 66 v. Missing: 1864-71, 1875-77, 1879.

Moccasin Township, 1861--. 76 v. Missing: 1878, 1879.

Mound Township, 1861--. 71 v. Missing: 1867-71, 1878, 1879.

St. Francis Township, 1861--. 75 v. Missing: 1866, 1878, 1879.
Summit Township, 1861--. 58 v. Missing: 1861-79, 1889.
Teutopolis Township, 1861--. 74 v. Missing: 1869, 1874, 1878, 1879.

Union Township, 1861--. 59 v. Missing: 1861-79.

Watson Township, 1861--. 76 v. Missing: 1864-66, 1871, 1875, 1876, 1878, 1879.

West Township, 1861--. 76 v. Missing: 1878, 1879).

Lists of taxes collected on real estate and personal property, showing names of owner, township, and city, description of property, tax spread, amount and date of payment, and amount of delinquency. Personal property arr. alph. by name of owner; real estate arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 40 - 300 p. 17 x 16 $\frac{1}{2}$ x 1/2 - 14 x 9 x 2. 742 v., 1851-1918, attic strm., 3rd fl.; 306 v., 1919--, treas.'s off., 1st fl.

36. COLLECTOR'S MEMORANDA OF TAXES, 1883-96. 8 v. Missing: 1885, 1887-90, 1892.

Memoranda of taxes collected, showing legal description of property, name of owner, amount of collection, date, book and page of entry in collector's book, and totals. Arr. by sec., twp., and range nos. Indexed alph. by name of twp. Hdw. under pr. hdgs. 150 p. 18 x 12 x 1 1/2. 2 v., 1883-84, treas.'s vlt., 1st fl.; 6 v., 1886-96, attic strm., 3rd fl.

37. MEMORANDA OF TAXES COLLECTED, 1881--. 15 v. (1-15).

Memoranda of tax distributions, showing date, page and line of entry in collector's books, amount of tax distributed to various departments, amount of costs and fees, and total amount of taxes. Arr. by date of distribution. No index. Hdw. under pr. hdgs. 319 p. 18 x 13 x 3. V. 1-14, 1881-1935, co. clk.'s vlt., 1st fl.; v. 15, 1936--, sh.'s off., 2nd fl.

38. DELINQUENT LIST, 1862-1915. 605 v.

Lists of delinquent taxes, showing name of owner, legal description of property, assessed value, amounts of taxes, costs, and interest, tax spread, and date. Arr. by sec. no. No index. Hdw. under pr. hdgs. 15 - 25 p. 14 x 8 1/2 x 1/2 - 17 x 14 x 1/2. Attic strm., 3rd fl.

39. (Transcript of) DELINQUENT LISTS, 1884-1918. 20 v. Missing: 1888, 1889, 1897-1900, 1902, 1908-15.

Transcripts of delinquent tax lists, showing name of owner, legal description of property, assessed value, amounts of taxes, costs, and interest, tax spread, date, aggregated amount of each kind of tax, and total amount of delinquency. Arr. by sec., twp., and range nos. Indexed alph. by name of twp. Hdw. under pr. hdgs. 250 p. 18 x 13 x 2. 4 v., 1884-87, treas.'s vlt., 1st fl.; 16 v., 1890-1918, attic strm., 3rd fl.

40. BACK TAX RECORD, 1850-73. 1 v. 1874-80 in Tax Sale and Redemption Record, entry 44; 1881-- in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 43.

Lists of delinquent taxes, showing legal description of property, name of owner, and date and amount of taxes due. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 120 p. 18 x 12 x 1 1/2. Co. clk.'s vlt., 1st fl.

Judgment, Sale, Redemption,
Forfeiture

41. AFFIDAVIT FOR TAX DEED, 1870--. 3 v. (A-C).

Copies of affidavits for tax deeds, showing date and place of sale, name of purchaser, legal description of property, amounts of tax, interest, and costs, and signatures of treasurer and county clerk. Arr. by date of affidavit. Indexed alph. by name of purchaser. 1870-1925, hdw. on pr. fm.; 1926--, typed. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

42. REDEMPTION BY MINORS, 1853-86. 1 v. 1887-- in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 43.

Copies of affidavits of minors for right to redeem real estate, showing names of minor and estate, legal description of property, dates of affidavit and redemption, and amount involved. Arr. by date of redemption. No index. Hdw. 720 p. 15 x 11 x 3. Co. clk.'s vlt., 1st fl.

43. TAX JUDGMENT, SALE, REDEMPTION, AND FORFEITURE RECORD, 1881--. 9 v.

Record of matters pertaining to taxes due and unpaid on lands and town lots, showing amount of special assessments, interest, and costs due, date, name and residence of owner, location and legal description of property, petition and order for sale of real estate, name of redeemer, and date and amount of payment; also contains Back Tax Record, 1881--, entry 40, and Redemption By Minors, 1887--, entry 42. Prior records kept separately as Tax Sale and Redemption Record, entry 44; Tax Judgment Record, entry 45; and Forfeiture Record, entry 46. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 150 - 250 p. 18 x 12 x $\frac{1}{2}$ - 17 x 14 x 2. Co. clk.'s vlt., 1st fl.

44. TAX SALE AND REDEMPTION RECORD, 1850-80. 4 v. (3 not lettered, E).

Title varies: Tax Sale Record, 2 v. not lettered, 1850-73. 1881-- in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 43.

Record of tax sales and redemptions, showing legal description of property, name of redeemer or purchaser, value, amounts of taxes and costs due, and date and amount of sale or redemption. Also contains Back Tax Record, 1874-80, entry 40; Tax Judgment Record, 1850-57, entry 45; and Forfeiture Record, 1850-78, 1880, entry 46. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 75 - 250 p. 18 x 15 x 1 - 17 x 14 x 2. Co. clk.'s vlt., 1st fl.

45. TAX JUDGMENT RECORD, 1858-80. 6 v. (2, 1 not labeled, C, 1 not labeled, D, 1 not labeled). 1850-57 in Tax Sale and Redemption Record, entry 44, 1881-- in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 43.

Record of tax judgments, showing term date, name of person assessed, legal description of property, tax spread costs, total tax, and total amount due. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 240 p. 16 x 11 x 2. Co. clk.'s vlt., 1st fl.

County Clerk - Vital
Statistics

46. FORFEITURE RECORD, 1879. 1 v. 1850-78, 1880 in Tax Sale and
Redemption Record, entry 44; 1881-- in Tax Judgment, Sale, Re-
demption, and Forfeiture Record, entry 43.

Record of lands and town lots forfeited for nonpayment of taxes, showing
name of person assessed, legal description of property, equalized value by
state board, tax spread, total tax, and date. Arr. by sec., township, and
range nos. No index. Hdw. on pr. fm. 100 p. 17 x 14 x 1. Attic strm.,
3rd fl.

47. ABSTRACTS OF TAX SALES, 1866--. 6 f.b. (338, 147, 150, 360, 377,
378). 1856-65 in (County Clerks's Miscellaneous Files), entry 85.
Original abstracts of tax sale papers, including certificates of purchases,
redemption papers, and notices of lands listed but redeemed prior to sale,
showing names of owner and purchaser or redeemer, description of property,
amounts of delinquent taxes, court costs, and sale, and dates of redemption
or sale and filing. Arr. by date of filing. 1866-71, no index; for index,
1872--, see entry 122. Hdw. on pr. fm. 14 x 10 x 4. Co. clk.'s vlt.
1st fl.

Vital Statistics

Births (See also entries
10, 247[i])

48. BIRTH INDEX CARDS, 1877--. 4 f.d. (two male; two female).
Card index to Birth Certificates, entry 50, and Record of Births, entry 51,
showing names of child, parents, and person making report, place of birth,
dates of birth and report, ages of parents, certificate number, and book
and page of entry. Arr. alph. by name of child. Hdw. on pr. fm.
5 x 14 x 24. Co. clk.'s off., 1st fl.

49. BIRTH INDEX, 1877--. 2 v. (1 not numbered, 1). Title varies: In-
dex to Register of Births, 1 v. not numbered, 1877-1915.
Index to Birth Certificates, entry 50, and Record of Births, entry 51, show-
ing names of parents and child, certificate number, and book and page of
entry. Arr. alph. by name of child. Hdw. under pr. hdgs. 325 p.
18 x 13 x 2. Co. clk.'s vlt., 1st fl.

50. BIRTH CERTIFICATES, 1916--. 10 v. (1-6, 4 not numbered). 1877-
1915 kept in unbound form in (County Clerk's Miscellaneous Files),
entry 85.

Certificates of births, showing certificate number, date and place of birth,
names of child, parents, and physician or midwife, personal and statistical
particulars, signatures of physician and county clerk, and date of filing.
Arr. by certificate no. For indexes, see entries 48, 49. Hdw. on pr. fm.
500 - 1073 p. 9 x 7 x 4 - 9 x 7 x 8. Co. clk.'s vlt., 1st fl.

County Clerk - Vital
Statistics

51. RECORD OF BIRTHS, 1877-1915. 5 v. (1-5). Title varies: Register of Births, v. 1, 1877-88; Birth Record, v. 2, 1889-1902.

Record of birth certificates, showing number of certificate, name, sex, color, and place and date of birth of child, names of parents and physician or midwife, number of children born to mother, signatures of physician and county clerk, and date of filing. Arr. by date of filing. For indexes, see entries 48, 49. Hdw. on pr. fm. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Deaths and Stillbirths (See
also entries 10, 247[1])

52. INDEX TO DEATHS, 1878--. 2 v. (1 not numbered, 1). Title varies: Stillbirth and Death Index, 1 v. not numbered, 1878-1915.

Index to Death Reports (and Stillbirth), entry 53; Record Certificate of Deaths, 1878-1915, entry 54; and Register of Stillbirths (Record), 1878-1901, entry 55, showing name of deceased, date of death or stillbirth, certificate and file box numbers, and book and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 325 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

53. DEATH REPORTS (and Stillbirth), 1916--. 10 v. (1-6, 4 not numbered). Title varies: Death and Stillbirth, v. 1-6, 1 not numbered, 1916-31; Deaths, 2 v. not numbered, 1932-35. 1877-1915 kept in unbound form in (County Clerk's Miscellaneous Files), entry 85.

Copies of death and stillbirth certificates, showing date, place, and cause of death, personal and statistical particulars, names of deceased, informant, undertaker, and physician, and signature of county clerk. Arr. by certificate no. For index, see entry 52. Hdw. on pr. fm. 580 p. 9 x 7 x 4. Co. clk.'s vlt., 1st fl.

54. RECORD CERTIFICATE OF DEATHS, 1878-1915. 3 v. (1, 3, 4). Title varies: Register of Deaths, v. 1, 1878-1903.

Copies of death certificates, showing names of deceased, physician and undertaker, age, sex, color, occupation, marital status, and birthplace of deceased, cause, date, and place of death, and date of filing. Also contains Register of Stillbirths (Record), 1902-15, entry 55. Arr. by date of filing. For index, see entry 52. Hdw. on pr. fm. 300 - 640 p. 18 x 13 x 1 - 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

55. REGISTER OF STILLBIRTHS (Record), 1878-1901. 1 v. 1902-15 in Record Certificate of Deaths, entry 54.

Copies of stillbirth certificates, showing name of child, date, place, and cause of stillbirth, name, age, address, and race of parents, number of children in family, physician's and undertaker's certificates, place and date of burial, name of informant, and date of filing. Arr. by date of filing. For index, see entry 52. Hdw. on pr. fm. 500 p. 18 x 13 x 1. Co. clk.'s vlt., 1st fl.

Marriages

56. MARRIAGE INDEX CARD, 1839--. 6 f.d. (three male; three female). Card index to Marriage Register, entry 58, and Application for Marriage Licenses, entry 60, showing name, address, age, race, and nationality of bride and groom, name of officiating party, number of certificate or application, and book and page of entry. Arr. alph. by name of bride and groom. Hdw. on pr. fm. 5 x 14 x 24. Co. clk.'s off., 1st fl.

57. MARRIAGE LICENSES, 1926--. 4 v. 1833-1925 in (County Clerk's Miscellaneous Files), entry 85. Original marriage license returns showing names of bride, groom, and official performing ceremony, personal information, number and date of license, and dates of marriage and return. Arr. by date of marriage. No index. Hdw. on pr. fm. 600 p. 8 x 10 $\frac{1}{2}$ x 3 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

58. MARRIAGE REGISTER, 1839--. 9 v. (A-C, 1-5, 1 not labeled). Title varies: Marriage Record, v. A, 1839-54, C, 1877-78. Register of marriages, showing name, age, race, and birthplace of bride and groom, and date of marriage. Arr. by date of marriage. For indexes, see entries 56, 59. 1839-78, hdw.; 1879--, hdw. on pr. fm. 70 - 300 p. 18 x 13 x 2 - 8 x 6 x 4 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

59. INDEX TO MARRIAGES (Males), 1839--. 2 v. (1, 2). Index to Marriage Register, entry 58, showing names of male and female, and book and page of entry. Arr. alph. by name of groom, Hdw. under pr. hdgs. 150 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

60. APPLICATION FOR MARRIAGE LICENSES, 1904--. 13 v. (1-12, 1 not numbered). Applications for marriage licenses, showing name, address, and age of male and female, date and number of application, and signature of county clerk. 1904-35, arr. by date of license; 1936--, arr. by certificate no. For index, see entry 56. Hdw. on pr. fm. 320 - 634 p. 14 x 12 x $\frac{1}{2}$ - 18 x 13 x 2 $\frac{1}{2}$. V. 1-11, 1904-31, attic strm., 3rd fl.; v. 12, 1 not numbered, 1932--, co. clk.'s vlt., 1st fl.

Licenses and Registers

Registers of Officers

61. REGISTER OF COUNTY OFFICERS, 1839--. 2 v. (1 not lettered, B). Register of county officers, showing names of officer, office, and sureties, dates of inauguration and term expiration, oath, and amount of bond. Also contains Oath of Officers, 1915--, entry 83. Arr. by date of inauguration. No index. 1839-64, hdw.; 1865--, hdw. under pr. hdgs. 120-250 p. 8 x 6 x 1 - 16 x 12 x 2. 1 v. not lettered, 1839-65, attic strm., 3rd fl.; v. B, 1866--, co. clk.'s vlt., 1st fl.

Professional Licenses and Registers
(See also entry 179[ii,vi])

62. PHYSICIANS' CERTIFICATE RECORD, 1877--. 3 v. (1, 1 not numbered, 2).

Copies of physicians' certificates, including accoucheurs, 1879--, osteopaths and chiropodists, 1902--, showing name and residence of practitioner, college attended, years of practice, names of examiners, signature of chairman of state board, and date of filing. Arr. by date of filing. Indexed alph. by name of practitioner. 1877-1909, hdw. on pr. fm.; 1910--, hdw. and typed on pr. fm. 150 - 250 p. 18 x 13 x 1 - 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

63. REGISTER OF PHYSICIANS AND ACCOUCHEURS, 1877-1927. 1 v.

Register of certificates of physicians and accoucheurs, showing name, residence, and business address of practitioner, and date and number of certificate. Arr. by date of certificate. Indexed alph. by name of practitioner. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

64. RECORD OF DENTAL SURGERY (Register), 1881--. 1 v.

Register of dentists' certificates, showing date, class, and number of certificate, name and address of dentist, and date of registration. Arr. by date of certificate. No index. Hdw. under pr. hdgs. 150 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

65. REGISTER OF VETERINARY SURGEONS' CERTIFICATES, 1910--. 1 v. (1).

Last entry 1912.

Register of veterinarians' certificates, showing date, class, and number of certificate, names of veterinarian and college, signatures of members of board of examiners, and date of registration. Arr. by date of registration. Indexed alph. by name of veterinarian. Hdw. under pr. hdgs. 200 p. 14 x 9 x 1. Co. clk.'s vlt., 1st fl.

66. OPTOMETRY REGISTRY, 1916--. 1 v. (1). Last entry 1917.

Register of optometrists' certificates, showing date, class, and number of certificate, name and address of optometrist, signatures of members of state board of examiners, and date of registration. Arr. alph. by name of practitioner. No index. Hdw. under pr. hdgs. 300 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Patents

67. PATENT RECORD, 1866-72. 1 v. Subsequent records kept by the United States Patent Office.

Copies of patents, showing number and date of patent, description of invention, and name of inventor. Arr. by date of patent. No index. Hdw. on pr. fm. 300 p. 17 x 12 x 2. Co. clk.'s vlt., 1st fl.

Militia Roll (See also entry 115)

68. MILITIA ROLL RECORD, 1861-62. 1 v.
Record of military enrollments, showing name, age, and rank of enlisted man, date and place of enrollment, and name of township. Arr. alph by name of twp. No index. Hdw. 200 p. 16 x 12 x 1½. Co. clk.'s vlt., 1st fl.

Stallion Certificates

69. (REGISTRATION OF STALLION CERTIFICATES), 1889-91. In Marks, Brands and Estrays, entry 70.
Record of stallion certificates, showing name of owner, registration number, description of sire, year foaled, where bred, pedigree, terms, where stationed, and signature of secretary of board of agriculture. Hdw.

Estrays, Marks and Brands

70. MARKS, BRANDS AND ESTRAYS, 1862--. 1 v. (A). Last entry 1891.
Record of cattle marks and brands, showing name of owner, description and illustration of mark or brand, and date of recordation. Also contains (Registration of Stallion Certificates), 1889-91, entry 69, and Estray Record, 1888--, entry 71. Arr. by date of recordation. No index. Hdw. 250 p. 14 x 10 x 1. Co. clk.'s vlt., 1st fl.

71. ESTRAY RECORD, 1840-87. 3 v. 1888-- in Marks, Brands and Estrays, entry 70.
Record of estray notices, showing date, kind, description, and appraised value of estray, place and name of person taking up estray, amount of costs and final disposition of estray. Arr. by date of notice. No index. Hdw. 120 p. 8 x 6 x 1½. Co. clk.'s vlt., 1st fl.

For other estray notices, 1839-1911, see entry 85[vi].

Dog Licenses

72. DOG TAG RECORD, 1919-27. 2 v. (1, B). 1928-- in Assessor's Books, entry 24.
Lists of dog tags issued, showing name of owner, tag number, date of issue, and amount of tax. Arr. by date of issue. No index. Hdw. under pr. hdgs. 100 - 500 p. 16 x 12 x 1 1/2 - 18 x 13 x 2 1/2. Attic strm., 3rd fl.

Elections

73. (MISCELLANEOUS ELECTION PAPERS), 1915--. 5 bdl. (1915-34); 1 f.b. (1928--).
Miscellaneous election papers, including canvass books, poll and tally books, election notices, and sample ballots; also contains Petitions to Have Name Placed on Official Ballot, 1930-34, entry 74; (Applications for Absentee Ballots), 1930-34, entry 75; and Abstract of Votes, 1938--, entry 76. No obvious arr. No index. Hdw.; typed; hdw. and typed on pr. fm.; hdw. and typed under pr. hdgs. F.b. 8 x 6 x 4; bdl. 8 x 6 x 4. 5 bdl., 1915-34, attic strm., 3rd fl.; 1 f.b., 1928--, co. clk.'s vlt., 1st fl.

County Clerk - Bonds of
Officers

74. PETITIONS TO HAVE NAME PLACED ON OFFICIAL BALLOT, 1935--.

1 f.b.(521). 1930-34 in (Miscellaneous Election Papers), entry 73.

Petitions to have name placed on official ballot, showing names of petitioners, party, township, and signers, date, affidavit and address of petitioners, and date of filing. Arr. by date of petition. No index. Hdw. on pr. fm. and hdw. under pr. hdgs. 14 x 10 1/2 x 4 1/2. Co. clk.'s vlt., 1st fl.

75. (APPLICATIONS FOR ABSENTEE BALLOTS), 1935--. 1 f.b. (511). 1930-34 in (Miscellaneous Election Papers), entry 73.

Applications for absentee ballots, showing date of election, precinct number, reason for voting by absentee ballot, and signature of county clerk. Arr. by date of election. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

76. ABSTRACT OF VOTES, 1915-27. 1 f.d. 1884-1914 in (County Clerk's Miscellaneous Files), entry 85; 1928-- in (Miscellaneous Election Papers), entry 73.

Abstract of votes cast at primary and general elections, showing names of office, candidate, township, and town or village, precinct number, number of votes received by each candidate, total votes cast, and dates of election and filing. Arr. alph. by title of office. No index. Typed under pr. hdgs. 26 x 24 x 28. Attic strm., 3rd fl.

77. RECORD OF BALLOTS, 1892--. 16 v.

Record of ballots delivered to each precinct, showing number of precinct, dates of delivery and return, quantity of ballots delivered and returned, name of person delivered to, and numbers of absentee, spoiled, used, and rejected ballots. 1892-1909, arr. by date of delivery; 1910--, no obvious arr. No index. Hdw. under pr. hdgs. 8 - 200 p. 6 x 4 x 1/4 - 16 x 10 x 1. Co. clk.'s vlt., 1st fl.

78. PRIMARY POLL BOOKS, 1915--. 276 v.

Poll books of primary elections, showing names of judges, clerks, and candidates, titles of offices, party, number of votes cast, and date of election. Arr. by date of election. No index. Hdw. under pr. hdgs. 30 p. 15 x 11 x 1/2. 161.v., 1915-28, attic strm., 3rd fl.; 115 v., 1929--, co. clk.'s vlt., 1st fl.

Bonds of Officers
(See also entries 3, 85[i], 126, 179[iv])

79. OFFICIAL BONDS, 1927--. 2 f.b. (342, 343).

Original bonds of county, township, and municipal officials, including supervisors' bonds, 1937--; sheriff's bonds, 1934--; coroner's bonds, 1932--; superintendent of schools' bonds, 1937--; treasurer's bonds, 1934--; deputy sheriffs' bonds, 1927--; justice of peace bonds, 1936; constables' bonds, 1932--; assessors' bonds, 1934--; police magistrates' bonds, 1932--; city commissioners' bonds, 1939--; and special deputy sheriffs' bonds, 1930, showing date, names of principal and sureties, date, amount, and obligations of bond, and date of filing. Arr. by date of bond. No index. Hdw. on pr. fm. 14 x 10 1/2 x 4 1/2. Co. clk.'s vlt., 1st fl.

County Clerk - Oaths of Officers;
Fees, Receipts and Expenditures;
Miscellaneous Papers

80. ASSESSORS' BOND RECORD, 1899--. 2 v. (A, B). 1839-98 in Supervisors' Record, entry 3.

Copies of assessors' bonds, showing names of assessor and sureties, and date, amount, and terms of bond. Arr. by date of bond. Indexed alph. by name of assessor. Hdw. on pr. fm. 300 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

81. SUPERVISORS' BONDS, 1914--. 1 v. (1). 1833-1913 in Supervisors' Record, entry 3.

Copies of supervisors' bonds, showing names of township, supervisors, and sureties, date, terms, and amount of bond, and acknowledgment. Arr. by date of bond. Indexed alph. by name of twp. Hdw. on pr. fm. 300 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

82. SUPERVISORS' BOND FOR DOG TAX, 1882-90. 1 v.

Copies of bonds of supervisors for performance of duty in collecting dog tax, showing names of supervisor and sureties, and amount, date, and terms of bond. Arr. by date of bond. Indexed alph. by name of supervisor. Hdw. on pr. fm. 300 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Oaths of County Officers
(See also entries 85[i], 179[iv])

83. OATH OF OFFICERS, 1839-1914. 5 v. 1915-- in Register of County Officers, entry 61.

Record of officials' oaths, showing names of official, person administering oath, and office, dates of oath and filing, and acknowledgment. Arr. by date of inauguration. No index. Hdw. 100 p. 8 x 6 x 1. Attic strm., 3rd fl.

Fees, Receipts and Expenditures

84. RECEIPT AND EXPENDITURE RECORD, COUNTY CLERK, 1874--. 4 v.

Register of receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, name of payer or recipient, total amount of receipts and expenditures, and balance available. Arr. by date of receipt or expenditure. No index. Hdw. under pr. hdgs. 318 p. 16 x 16 x 1 1/2. 2 v., 1874-1901, attic strm., 3rd fl.; 1 v., 1902-27, co. clk.'s vlt., 1st fl.; 1 v., 1928--, co. clk.'s off., 1st fl.

Miscellaneous Papers

85. (COUNTY CLERK'S MISCELLANEOUS FILES), 1833--. 475 f.b. (1-484 not consecutive).

Miscellaneous papers filed in county clerk's office including:

- i. Bonds and oaths of county officials, including recorder, circuit clerk, treasurer, county superintendent of schools, state's attorney, county judge, constable, police magistrate, and county supervisors, 1839--, showing date, amount, and obligations of

bond, names of officials, person administering oath, and sureties, signatures of sureties and officials, title of office, and dates of filing and approval.

- ii. Certificates of incorporation of villages, including petitions, court decrees, results of election, 1882--, showing names of petitioners and village, description and location of village, date and result of election, and date of filing.
- iii. Certificates of purchase of school lands, including plats, 1838-53, showing name and number of township and school district, name of purchaser, date and amount of sale, number of acres sold, legal description of property, signature of school commissioner, and date of filing.
- iv. Inquest papers, 1855-77, showing dates of death and inquest, case number, names of coroner, deceased, jurors, and witnesses, physicians' statement, jurors' verdict, signature and seal of coroner, and book and page of entry.
- v. Lists of cancelled county orders submitted by county clerk, 1858--, showing date, amount, and purpose of order, names of recipient and fund charged against, and total amount of checks cancelled.
- vi. Notices of estrays, 1839-1911, showing description of estray, appraised value, date and place found, name of finder, and disposition of estray.
- vii. Objections and exceptions filed by property owners against excess taxes, 1858--, showing date of filing, name of owner, legal description of property, assessed value, amount of taxes assessed, and cause of complaint.
- viii. Plats of school lands sold by various school districts in sections 16, 1838-53, showing name and number of school district and township, date, scale, boundary lines, location of land, acreage, date of filing, and name of surveyor.
- ix. State-aid road papers, including contracts, proposals, advertisements and acceptance of proposals of bids, job specifications and blueprints, 1916, showing name of contractor, date and terms of contract, name and location of road, and date of filing.
- x. Tax schedules of railroad property, 1856--, showing name of railroad, district number, itemized list and value of property, signature of assessor, and date of filing.

Also contains Supervisors' Proceedings, 1839-1914, entry 1; Road Resolutions, 1839-1914, entry 2; Mothers' and Blind Pensions, 1913-34, entry 16; Jury Lists, 1862-1919, entry 21; Tax Levies, 1856-74, 1928--, entry 22; Abstracts of Tax Sales, 1856-65, entry 47; Birth Certificates, 1877-1915, entry 50; Death Reports (and Stillbirth), 1877-1915, entry 53; Marriage Licenses, 1833-1925, entry 57; (Common Law and Criminal Files), 1842--, entry 123; (Probate Files), 1838--, entry 148; and Railroad Tax Objections, 1890-1932, entry 226. Arr. by date of filing. 1839-71, no index; for index, 1872--, see entry 122. Hdw., typed, and hdw. and typed on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

III. RECORDER

The recorder of Effingham County was originally appointed by the Governor with the advice and consent of the Senate.¹ In 1833, the year in which Effingham County was organized, the amount of his bond was set at \$500.² The office became elective in 1835, for a four-year term, and the bond was to be approved by the county commissioners' court.³ A two-year term became effective in 1847.⁴ With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated to the circuit court clerk in an ex-officio capacity.⁵ The present constitution reestablished the office of recorder in counties having a population of sixty thousand or more, but continued the provision of the prior constitution for other counties.⁶ As the population of Effingham never reached the minimum fixed by the constitution, the circuit court clerk in this county has retained his ex-officio duties as recorder. The amount of the recorder's bond was set at \$5,000 in 1872, and was to be approved by the county judge.⁷ This amount was raised in 1874 to \$10,000 for counties having the population of Effingham.⁸ A copy of the bond is entered upon the records of the county court.⁹

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.¹⁰ The compensation of the assistants and deputies is set by the county board.¹¹ Written oaths of deputies are filed with the Secretary of State.¹²

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or

1. R.L.1829, p. 117.
2. Ibid.
3. L.1835, p. 166.
4. L.1845, p. 28. Effective in 1847.
5. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.
6. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 833.
7. Census shows population of Effingham County 19,556 in 1920 and 19,013 in 1930 (Population Bulletin, p. 8).
8. L.1871-72, p. 645.
9. R.S.1874, p. 833.
10. Constitution of 1870, Art. X, sec. 9; R.S.1874, p. 833.
11. Constitution of 1870, Art. X, sec. 9.
12. R.S.1874, p. 833.

filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.

2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantor and grantee indexes. In the grantor index are listed the names of the grantors in alphabetical order and the names of the grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed, and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.
7. A separate book to record certificates of honorable discharge from military, aviation, and naval service.¹

1. L.1819, p. 18,20,21; R.L.1829, p. 116,117; L.1847, p. 69; L.1853, p. 254; L.1867, p. 148; L.1869, p. 2; L.1871-72, p. 645,646; L.1873, p. 144; R.S.1874, p. 834-46; L.1917, p. 652; L.1925, p. 521; L.1933-34, Third Sp. Sess., p. 214.

Recorder - Entry Books;
Instruments Recorded

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photostatic reproduction, or use a combination of these methods.¹ In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instruments "filed" and enters the time of their receipt and files them in his office.²

Entry Books

86. ENTRY BOOK, 1865--. 11 v. (A-G, I-L). Missing: 1918-20. Entry books for instruments left for recording, showing number and type of instrument, names of grantor and grantee, legal description of property, date of recording, and book and page of entry. Arr. by date of recording. No index. Hdw. under pr. hdgs. 300 p. 18 x 13 x 3. V. A-G, I, 1865-1925, attic strm., 3rd fl.; v. J, K, 1926-36, cir. clk.'s vlt., 1st fl.; v. L, 1937--, cir. clk.'s off., 1st fl.

Instruments Recorded

General

87. (UNCALLED FOR DOCUMENTS), 1921--. 32 pigeon holes. Documents left for recording and not called for, including deeds, mortgages, chattel mortgages, and liens. Arr. alph. by name of owner. No index. Hdw.; typed; hdw. on pr. fm.; typed on pr. fm. 5 x 5 x 8. Cir. clk.'s off., 1st fl.

88. MISCELLANEOUS RECORDS, 1874--. 23 v. (13-190 not consecutive). 1833-73 in Deed Record, entry 91.

Records of miscellaneous instruments including:

- i. Assignments of mortgages and leases, 1874--, showing names of principals, legal description of property, consideration, and dates of instrument and filing.
- ii. Bills of sale, 1874--, showing names of buyer and seller, legal description of property, consideration, and dates of instrument and filing.
- iii. Deeds, 1874--, showing names of grantor and grantee, legal description of property, consideration, and dates of instrument and filing.

1. L.1933-34, Third Sp. Sess., p. 214.
2. L.1937, p. 521; L.1929, p. 592-94.

Recorder - Instruments
Recorded

- iv. Certificates of elections of church and lodge officials, showing names of organization, officials elected, and person signing instrument, location of organization, and dates of election and filing.
- v. Leases, 1936--, showing names of lessor and lessee, legal description of property, terms, length of lease, and dates of instrument and filing.
- vi. Mortgages, 1874--, showing names of mortgagor and mortgagee, legal description of property, consideration, dates of instrument and maturity, rate of interest, and date of filing.
- vii. Plats, 1833--, showing description and location of survey, township and section numbers, date of plats, legal description of property, and boundary lines.
- viii. Property leases, 1874--, showing names of lessor and lessee, legal description, terms, length of lease, and dates of instrument and filing.
- ix. Releases of mortgages and assignments, 1874--, showing names of mortgagor, mortgagee, releasor, and releasee, legal description of property, consideration, and dates of instrument and filing.
- x. Road district plats, 1900--, showing names and numbers of road district and township, name of clerk, description of road, and date of filing.
- xi. Wills, 1874--, showing names of maker, beneficiary, and witnessess, legal description of property, provisions and terms of will, and dates of instrument and filing.

Also contains Assignment of Mortgage Record, 1875-94, entry 104; Oil and Gas Record, 1905-21, entry 116; and Miscellaneous Oil Record, 1936-37, entry 117. Arr. by date of instrument. Indexed alph. by name of principal or organization; for sep. indexes, 1874--, 1875--, respectively, see entries 89, 100; for additional index to deeds, 1874-87, see entry 90; for index to releases, 1909--, see entry 101; for index to plats, see entry 118. 1874-1903, hdw.; 1904--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Deeds (See also entry 88[iii])

89. GENERAL INDEX, GRANTOR AND GRANTEE, 1833--. 22 v. (1-19 not consecutive, grantor; 1-19 not consecutive, grantee).

Index to Miscellaneous Records, entry 88; Deed Record, entry 91; Trust Deed Record, entry 92; Sheriff Tax Deeds and Deeds of Trust, entry 93; Warranty Deeds Record, entry 94; Quitclaim Deed Record, entry 95; Master Deed Record, entry 96; Cemetery Deed Record, entry 97; Illinois Central Railroad Deeds, entry 98; and Mortgage Records, 1854-74, entry 102, showing names of principals, type and date of instrument, consideration, legal description of property, book and page of recording, and date of filing. Arr. alph. by names of grantee and grantor. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

90. GENERAL INDEX OF DEEDS, 1833-87. 1 v.

Index to deed records listed in general index, showing names of grantor and grantee, type of instrument, legal description of property, book and page of recordation, and date of filing. This index has been transcribed into General Index, Grantor and Grantee, entry 89. Arr. alph. by name of principal. Hdw. under pr. hdgs. 440 p. 18 x 12 x 1½. Cir. clk.'s vlt., 1st fl.

Recorder - Instruments

Recorded

91. DEED RECORD, 1833--. 51 v. (A-F, H-K, N-P, R-Y, 2,3,5,7,8,10,15, 17,19,20,23,26,27,34,35,39,52,63,64,66,71,106,118,126,141,149,157, 167,179,191). Title varies: Records, v. A-D, 1833-52.

Copies of deeds, including plats, showing names of grantor and grantee, instrument number, consideration, legal description of property, and dates of filing and recording. Also contains Miscellaneous Records, 1833-73, entry 88; Trust Deed Record, 1833-66, entry 92; Sheriff Tax Deeds and Deeds of Trust, 1833-67, entry 93; Warranty Deeds Record, 1833-69, entry 94; Quit-claim Deed Record, 1833-73, entry 95; Master Deed Record, 1833-80, entry 96; Cemetery Deed Record, 1851-1924, entry 97; Illinois Central Railroad Deeds, 1887--, entry 98; Release Records, 1833-53, entry 103; Chattel Mortgage Record, 1833-66, entry 106; Sheriff's Certificate of Sale, 1842-68, entry 111. Arr. by date of instrument. For index, see entry 89; for additional index, 1833-87, see entry 90; for index to plats, see entry 118. Hdw. and typed on pr. fm. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

92. TRUST DEED RECORD, 1867--. 2 v. (2, 62). Title varies: Sale Mortgage and Trust Deeds, v. 2, 1867-89. 1833-66 in Deed Record, entry 91.

Copies of trust deeds, showing names of grantor and grantee, description of property, date, consideration, interest rate, and dates of deed and recording. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 89; for additional index, 1867-87, see entry 90. Hdw. on pr. fm. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

93. SHERIFF TAX DEEDS AND DEEDS OF TRUST, 1868--. 1 v. (1). 1833-67 in Deed Record, entry 91.

Copies of tax deeds and deeds of trust, showing names of sheriff, property owner, and purchaser, legal description of property, consideration, and dates of deed and filing. Arr. by date of filing. For index, see entry 89; for additional index, 1868-87, see entry 90. Hdw. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

94. WARRANTY DEEDS RECORD, 1870--. 36 v. (40,47,49,54,65,74,76,78,85, 86,90,92,94,99,103,104,108,113,116,119,121,129,134,137,140,142,145, 148,151,154,158,163,168,172,177,182). 1833-69 in Deed Record, entry 91.

Copies of warranty deeds, showing names of grantor and grantee, consideration, legal description of property, dates of instrument and filing, and acknowledgment. Arr. by date of filing. For index, see entry 89; for additional index, 1870-87, see entry 90. Hdw. on pr. fm. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

95. QUITCLAIM DEED RECORD, 1874--. 13 v. (11,33,38,59,73,82,95,100, 123,136,153,171,181). 1833-73 in Deed Record, entry 91.

Copies of quitclaim deeds, showing names of grantor and grantee, legal description of property, consideration, date and number of instrument, and date of filing. Arr. by date of filing. For sep. index, see entry 89; for additional index, 1874-87, see entry 90. Hdw. on pr. fm. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

96. MASTER DEED RECORD, 1881--. 2 v. (28, 83). Title varies: Master's Tax Deed Record, v. 28, 1881-96. 1833-80 in Deed Record, entry 91. Copies of master-in-chancery deeds, showing names of master, grantee, and recorder, dates of deed and recording, consideration, instrument number, and legal description of property. Arr. by date of recording. For index, see entry 89; for additional index, 1881-87, see entry 90, Hdw. on pr. fm. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

97. CEMETERY DEED RECORD, 1925--. 1 v. (155). 1851-1924 in Deed Record, entry 91.

Copies of cemetery deeds, showing names of grantor, grantee, and cemetery, consideration, legal description, and dates of deed and recording. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 89. Hdw. on pr. fm.; typed on pr. fm.; typed. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

98. ILLINOIS CENTRAL RAILROAD DEEDS, 1870-86. 1 v. 1887-- in Deed Record, entry 91.

Copies of railroad deeds, showing names of grantor, grantee, railroad, trustees, president, and secretary, consideration, instrument number, legal description of property, and dates of recording and deed. Arr. by date of recording. Indexed alph. by name of grantee; for sep. indexes, see entries 89, 90. Hdw. on pr. fm. 600 p. 18 x 13 x 2 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

99. ASSESSMENT AND RELEASE OF DAMAGES ST. L. V. & T. H. R. R., 1868-69. 1 v.

Estimates of damages due land owners for release of right of way to railroad, showing release of right of way, legal description of land, amount of damages, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 320 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Mortgages - Real Property (See also entry 88[i, vi, ix])

100. GENERAL INDEX MORTGAGOR, MORTGAGEE, 1875--. 16 v. (8 not labeled, mortgagor; 8 not labeled, mortgagee).

Index to Mortgage Records, entry 102, and Miscellaneous Records, entry 88, showing names of mortgagor and mortgagee, legal description of property, consideration, book and page of entry, and dates of filing. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

101. RELEASOR AND ASSIGNOR - RELEASE AND ASSIGNEE INDEX, 1909--. 5 v. (1, 2, 1909-34, releasor and assignor; 1, 2, 1909-34, releasee and assignee; 3, 1935--, releasor and assignor - releasee and assignee).

Index to Release Records, entry 103; Assignment of Mortgage Record, entry 104; and releases of mortgages and assignments in Miscellaneous Records, entry 88, including marginal releases, showing names of releasor, releasee, assignor, and assignee, type of instrument, legal description of property, book and page of recordation, and book and page of release. Arr. alph. by name of principal. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Recorder - Instruments

Recorded

102. MORTGAGE RECORDS, 1854--. 63 v. (G, M, Q, 1-186 not consecutive). 1833-53 in Deed Record, entry 91.

Copies of mortgages, including marginal releases and assignments, showing names of mortgage and mortgagor, legal description of property, consideration, date due, rate of interest, and dates of instrument and filing. Also contains Release Records, 1854-73, entry 103, and Assignment of Mortgage Record, 1868-74, entry 104. Arr. by date of instrument. Indexed alph. by name of mortgagor; for sep. indexes, 1854-74, see entries 89, 90; for sep. index, 1875--, see entry 100. 1854-69, hdw.; 1870-93, hdw. on pr. fm.; 1894--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

103. RELEASE RECORDS, 1874--. 8 v. (12, 68, 89, 93, 96, 133, 138, 169). 1833-53 in Deed Record, entry 91; 1854-73 in Mortgage Records, entry 102.

Copies of releases of recorded mortgages, showing names of grantor and grantee, legal description of property, amount and terms of mortgage, consideration, and dates of instrument and recording. Arr. by date of recording. Indexed alph. by name of releasor; for sep. index, 1909--, see entry 101. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

104. ASSIGNMENT OF MORTGAGE RECORD, 1895--. 1 v. (77). 1868-74 in Mortgage Records, entry 102; 1875-94 in Miscellaneous Records, entry 88.

Record of assignments of mortgages, showing names of assignor and assignee, dates of mortgage, assignment, and filing, legal description of property, and consideration. Arr. by date of recording. Indexed alph. by name of assignor; for sep. index, 1909--, see entry 101. Hdw. on pr. fm. 640 p. 18 x 12 x 2 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Mortgages - Chattel

105. UNRECORDED CHATTEL MORTGAGES, 1934--. 1 f.d.

Unrecorded chattel mortgages showing names of mortgagor and mortgagee, description of property, amount of mortgage, and date of filing. Arr. by date of filing. No index. Hdw. and typed on pr. fm. 15 x 11 $\frac{1}{2}$ x 26. Cir. clk.'s off., 1st fl.

106. CHATTEL MORTGAGE RECORD, 1867--. 15 v. (1 not numbered, 16, 3, 6-17). Missing: 1911-12. 1833-66 in Deed Record, entry 91.

Copies of chattel mortgages and extensions, including bills of sale, showing names of mortgagor and mortgagee, consideration, legal description of property, dates of instrument and recording, satisfaction, and acknowledgment. Arr. by date of recording. 1867-75, no index; 1877--, indexed alph. by name of mortgagor; for sep. index, 1876--, see entry 107. 1867-1932, hdw. on pr. fm; 1933--, typed on pr. fm. 450 p. 18 x 13 x 3. 1 v. not numbered, v. 16, 1867-1910, attic strm., 3rd fl.; v. 3, 6-17, 1877--, cir. clk.'s vlt., 1st fl.

107. CHATTEL MORTGAGE INDEX, 1876--. 4 v. (5, 7-9).
Index to Chattel Mortgage Record, entry 106, showing names of mortgagee and mortgagor, dates of instrument and filing, consideration, description of property, and book and page of entry. Arr. alph. by name of mortgagor. Hdw. under pr. hdgs. 600 p. 18 x 13 x 2 $\frac{1}{2}$. V. 5, 1876-99, attic strm., 3rd fl.; v. 7-9, 1900--, cir. clk.'s vlt., 1st fl.

Certificates of Levy (See
also entry 181)

108. MASTER'S AND SHERIFF'S CERTIFICATES, 1920--. 1 v. (1).
Copies of sheriff's certificates of levy and redemption, and master's certificates of sale, redemption, and purchase, showing names of plaintiff, defendant, purchaser, redeemer, and master or sheriff, legal description of property, date, amount, and purpose of levy, and date, place, and amount of sale or redemption, and acknowledgment. Master's Certificate of Purchase Record, entry 109, and (Sheriff's) Certificates of Levy and Redemption, entry 110, formerly kept separately. Arr. by date of recording. Indexed alph. by name of plaintiff. Typed. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

109. MASTER'S CERTIFICATE OF PURCHASE RECORD, 1868-1919. 2 v. (A, C).
Title varies: Master's Certificate of Sale and Redemption, v. A,
1868-97. 1920-- in Master's and Sheriff's Certificates, entry 108.

Copies of master's certificates of sale, redemption, and purchase, showing names of plaintiff, defendant, purchaser, redeemer, and master, legal description of property, date, place, amount, and conditions of sale or redemption and acknowledgment. Arr. by date of recording. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 500 p. 15 x 11 x 2 1/2. Cir. clk.'s vlt., 1st fl.

For other master's certificates of sale, redemption, and purchase too lengthy to fit standard forms, see entry 112.

110. (Sheriff's) CERTIFICATES OF LEVY AND REDEMPTION, 1861-1919. 1 v.
1920-- in Master's and Sheriff's Certificates, entry 108.

Copies of sheriff's certificates of levy and redemption, showing names of plaintiff, defendant, sheriff, and redeemer, legal description of property, date, amount, and purpose of levy, amount of redemption and court costs, and acknowledgment. Arr. by date of recording. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 580 p. 18 x 14 x 3. Cir. clk.'s vlt., 1st fl.

For other certificates of levy and redemption too lengthy to fit standard forms, see entry 112.

111. SHERIFF'S CERTIFICATE OF SALE, 1869--. 1 v. (A). 1842-68 in
Deed Record, entry 91.

Copies of sheriff's certificates of sale, showing names of owner and purchaser, legal description of property, date, amount, and conditions of sale, and acknowledgment. Arr. by date of recording. Indexed alph. by name of purchaser. Hdw. on pr. fm. 300 p. 15 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Recorder - Instruments
Recorded

112. MASTER'S AND SPECIAL COMMISSIONER'S CERTIFICATES OF SALE AND REDEMPTION, 1871--. 1 v. (B). Last entry 1923.

Copies of sheriff's certificates of levy and redemption and master's certificates of sale and redemption and purchase too lengthy to fit standard forms, showing names of plaintiff, defendant, purchaser, redeemer, and master or sheriff, legal description of property, date, amount, and purpose of levy, date, amount, and condition of sale or redemption, and acknowledgment. Arr. by date of recording. Indexed alph. by name of plaintiff. 1870-1902, hdw.; 1903--, typed. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

For other sheriff's certificates of levy and redemption, and master's certificates of sale, redemption, and purchase, see entries 109, 110.

Bonds of Officers

113. TOWN COLLECTORS' BOND RECORD, 1897-1918. 1 v. 1860-96 in Supervisors' Record, entry 3.

Copies of town collectors' bonds, showing names of collector, sureties, and township, date, amount, and obligations of bond, and date of recordation. Arr. by date of recording. Indexed alph. by name of collector. Hdw. on pr. fm. 500 p. 18 x 13 x 2 $\frac{1}{2}$. Attic strm., 3rd fl.

Other Instruments

114. REGISTER NAMES OF LANDS, 1900--. 1 v. (1).

Register of farm names, showing names of owner and farm, address, legal description of farm, and number of acres. Arr. alph. by names of farm and owner. No index. Hdw. under pr. hdgs. 240 p. 17 x 13 x 1. Cir. clk.'s vlt., 1st fl.

115. SOLDIERS' (and Sailors') DISCHARGE RECORD, 1919--. 1 v. (1). Copies of World War soldiers' and sailors' discharges, showing names of soldiers or sailors, commanding officer, and company, term of service, service record, and dates of discharge and recording. Arr. by date of recording. Indexed alph. by name of soldier. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

116. OIL AND GAS RECORD, 1922--. 10 v. (1-10). 1905-21 in Miscellaneous Records, entry 88.

Copies of oil and gas leases, showing names of property owner and lessee, legal description of property, consideration, and dates of instrument and filing. Arr. by date of filing. Indexed alph. by name of lessor. Typed on pr. fm. 530 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

117. MISCELLANEOUS OIL RECORD, 1938--. 2 v. (192, 195). 1936-37 in Miscellaneous Records, entry 88.

Copies of miscellaneous oil documents, including assignments of oil and gas leases, changes of depositories, corrections of leases, mineral deeds, options on oil and gas royalties, releases of oil and gas leases, and royalty assignments. Arr. by date of filing. Indexed alph. by name of person recording instrument. Typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

Maps and Plats
(See also entries 85[viii], 88[vii, x], 271, 272)

118. PLAT INDEX, 1833--. 1 v. (1).

Index to Plat Record, entry 119, and Road Plat Record, entry 120; also index to plats recorded in Miscellaneous Records, entry 88, and Deed Record, entry 91, showing location, legal description of plat, name of town making addition, and name of person having plat made. Arr. by twp., sec., and range nos. Hdw. under pr. hdgs. 400 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

119. PLAT RECORD, 1859--. 3 v. (1, 1, 29). Title varies: Surveyor's Record, v. 1, 1859-70.

Record of plats made by county surveyor, showing description and location of survey, township, section, and range numbers, date of plat, legal description of property, and boundary lines. Also contains Road Plat Record, 1871-92, 1927--, entry 120. Arr. by sec., twp., and range nos. For index, see entry 118. Hdw. and hand-drawn. 125 - 600 p. 25 x 18 x 2 - 18 x 13 x 4. Cir. clk.'s vlt., 1st fl.

120. ROAD PLAT RECORD, 1893-1926. 1 v. 1871-92, 1927-- in Plat Record, entry 119.

Record of plats of roads, showing location of road, name and number of township, length and width of road, points of terminus, name of surveyor, and dates of surveying and filing. Arr. by sec., twp., and range nos. Indexed alph. by name of twp.; for sep. index, see entry 118. Hdw. 400 p. 18 x 13 x 2 1/2. Cir. clk.'s vlt., 1st fl.

121. GOVERNMENT SURVEY, 1874. 1 v.

Political maps of townships in Effingham County, showing name of township, section, township, and range numbers, rivers, creeks, and boundaries of township. Arr. alph. by twp. No index. Hand-drawn. 2 in. to 1 mi. 48 p. 24 x 18 x 2. Cir. clk.'s vlt. 1st fl.

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State. The compensation of the Effingham county judge was originally set at \$2.50 per diem for holding court, which was paid quarterly out of the county treasury.¹ Today, the judge in this county receives \$2,500 per annum.² The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.³

At the time of the organization of Effingham County, the powers of the judiciary in all counties were administered only by the justices of the peace,⁴ the probate judge,⁵ and the circuit court.⁶ Later, a civil and criminal court with jurisdiction coextensive with the county lines was established under the provisions of the Constitution of 1848 and legislation of 1849.⁷ The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor. His original four-year tenure of office has remained effective to the present.⁸ As the administrative body, the court was made up of the county judge and two justices of the peace.⁹

Under the second constitution complete separation of county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors

1. L.1849, p. 62,63.

2. L.1933, p. 616; L.1938, First Sp. Sess., p. 30.

3. L.1881, p. 70.

4. Constitution of 1818, Art. IV. sec. 8; L.1819, p. 192.

5. L.1821, p. 119.

6. L.1819, p. 380.

7. Constitution of 1848, Art. V. sec. 1,16; L.1849, p. 62.

8. Constitution of 1848, Art. V. sec. 17; L.1849, p. 62,66; R.S.1874, p. 339; L.1833, p. 451.

9. L.1849, p. 65.

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established under township organization.¹ This plan of government was not selected immediately, and Effingham was governed by the dual county court until 1861 when the board of supervisors became successor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in Effingham County.

The county court as established in 1849 was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.² Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.³ The court also excercised jurisdiction equal with that of the circuit court over naturalization.⁴

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining applications for the sale of real estate of deceased persons and for the payment of debts of the estate.⁵ In Effingham County the county judge has served to the present day in his ex-officio capacity as judge of the probate court.⁶

The law jurisdiction of the county court in Effingham County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed \$2,000,⁷ in all cases of appeals from justices of the peace and police magistrates, and in all criminal offenses and misde-

1. Constitution of 1848, Art. VII. sec. 6; L.1849, p. 192,202-4; L.1851, p. 38,50-52.

2. L.1849, p. 65.

3. Ibid., p. 126.

4. 2 U.S.S.L. 155.

5. L.1849, p. 65.

6. Constitution of 1848, Art. V. sec. 16,18; L.1849, p. 65; Constitution of 1870, Art. VI, sec. 18; R.S.1874, p. 339,340; L.1933, p. 449,458.

7. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed \$500 (L.1871-72, p. 325; R.S.1874, p. 339,340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L.1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (ibid., p. 449). In 1939 jurisdiction was again extended to \$2,000 (L.1939, p. 492).

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meanors where the punishment is not imprisonment in the penitentiary or death.¹ The county court also has original jurisdiction in matters relating to indigent mothers² and jurisdiction over insane persons not charged with crimes.³

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.⁴

In 1899 provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.⁵ In 1907 an amendment to this act authorized the court to allow compensation to such officers in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.⁶ An amendment of 1925 provided that if more than one probation officer were appointed, one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.⁷ For Effingham County, and others with a population not exceeding twenty-five thousand⁸ the rate is set at a sum of \$50 a year for each thousand inhabitants, but not to exceed \$900 annually.

The officer under consideration makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.⁹

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parents or guardian,

1. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212,223; L.1933, p. 449-51.
2. L.1913, p. 127; L.1915, p. 243; L.1921, p. 162-64; L.1935, p. 256-59.
3. L.1869, p. 366; R.S.1874, p. 685.
4. L.1899, p. 131-37; L.1901, p. 141-44; L.1905, p. 152-56; L.1907, p. 70-78.
5. L.1899, p. 133.
6. L.1907, p. 69,70.
7. L.1925, p. 187,188.
8. In 1930 the population of Effingham County was listed as 19,013 (Population Bulletin, p. 8).
9. L.1899, p. 133; L.1925, p. 187,188.

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process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.¹

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered in custody of the probation officer.² If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.³ In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.⁴

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may, upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.⁵

Another probation officer, an appointee of the county court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare. The county court, however, is given original jurisdiction in these matters.⁶

A mother whose husband is dead or incapacitated, or who is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.⁷ A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hear-

1. L.1899, p. 132,133; L.1905, p. 153,154; L.1907, p. 72,73.

2. L.1907, p. 74.

3. L.1923, p. 180,181.

4. L.1911, p. 280-82.

5. L.1907, p. 75.

6. L.1913, p. 127-30; L.1915, p. 243-45; L.1931, p. 162-64; L.1935, p. 256-59.

7. L.1913, p. 127-30; L.1915, p. 244; L.1935, p. 256-59.

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ing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.¹

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under direction of the court, the families to which such assistance has been granted.²

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two-fifths of one mill on a dollar in Effingham County.³ In addition the General Assembly, from time to time, makes appropriation to the State Department of Public Welfare, the funds, in turn, being distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certifies annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.⁴

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. In the event that any city, village, or incorporated town adopts the City Election Act the county judge appoints a board of three election commissioners to have charge of election in that political unit. Only one such board, however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, or incorporated towns which may adopt the act.⁵ Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.⁶

Aiding in the settlement of questions arising in the course of the election procedure is the county officers electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.⁷

1. L.1913, p. 127-30; L.1935, p. 257-59.

2. L.1913, p. 129,130; L.1935, p. 258.

3. L.1919, p. 780,781; L.1927, p. 196,197; L.1928, First Sp. Sess., p. 3,4; L.1933, p. 194,195.

4. L.1935, p. 259.

5. L.1885, p. 147-49; L.1899, p. 163-65; L.1917, p. 445,446; L.1929, p. 399; L.1933, p. 534; L.1935-36, Fourth Sp. Sess., p. 35.

6. L.1871-78, p. 396.

7. L.1891, p. 110,111; L.1933, p. 552.

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The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objections to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.¹ The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.² The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.³ A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.⁴

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.⁵ The act granting this jurisdiction is generally known as the "Inheritance Tax Law." Originally, the state's attorney was charged with the duty of enforcing the provisions of this law;⁶ however, since 1913 these duties have been performed by the Attorney General.⁷ Under that law the county judge and the county clerk are required every three months to make a statement in writing to the county treasurer of the property from which or the party from whom he has reason to believe a tax under this act is due and unpaid.⁸ The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under it.⁹

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.¹⁰ Such corporations are subject to the supervision and control of the State Housing Board. This state agency has authority, after investigations and public hearings, to approve the acquisition of property and construction of housing projects. If the State Housing Board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of its approval. Such applica-

1. L.1891, p. 110,111; L.1929, p. 394.

2. L.1891, p. 111; L.1929, p. 394; L.1933, p. 552.

3. L.1929, p. 394,396.

4. L.1933, p. 552.

5. L.1895, p. 306; L.1909, p. 318.

6. L.1895, p. 306; L.1909, p. 319.

7. L.1913, p. 515,516; L.1935, p. 1179,1180.

8. L.1895, p. 306; L.1909, p. 319; L.1913, p. 516.

9. L.1895, p. 307; L.1909, p. 319; L.1913, p. 516.

10. L.1933, p. 396-415; L.1933-34, Third Sp. Sess., p. 167-74.

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tion is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statements of location, and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the application, objections, and any additional evidence before rendering a decision of "approved" or "not approved" on the application.¹

Appeals from the judgments and decisions of the county court may be taken to the circuit court.² To the Appellate Court or Supreme Court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments, in all common law and attachment cases, and in cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.³

The records of the county court are kept by its clerk. In Effingham County the county clerk is ex-officio clerk of the county court. In addition to the statutory records described below the clerk necessarily maintains others in effecting the court's orders.⁴

For the court the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.

1. L.1933, p. 396-415; L.1933-34, Third Sp. Sess., p. 167-74.

2. L.1933, p. 396.

3. R.S.1874, p. 339; L.1877, p. 77; L.1881, p. 66.

4. The form which such records take is generally determined by court order (L.1849, p. 66; R.S.1874, p. 262,263).

5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.¹
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles or causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens etc., from justices' courts.
8. Naturalization records, including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to excercise naturalization jurisdiction.²
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.³
10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and by whom committed.⁴

Proceedings of Court

122. INDEX TO COURT RECORDS, 1872--. 4 v. (two plaintiff; two defendant). Index to Abstracts of Tax Sales, entry 47; (County Clerk's Miscellaneous Files), entry 85; County Court Record (Common Law), entry 126; and County Court Record, Criminal, entry 127, showing names of plaintiff and defendant, title of case, file box number, and book and page of entry in records. Arr. alph. by names of plaintiff and defendant. No index. Hdw. under pr. hdgs. 400 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

123. (COMMON LAW AND CRIMINAL FILES), 1842--. In (County Clerk's Miscellaneous Files), entry 85. Files of original documents in common law and criminal cases, including summonses, subpoenas, warrants, writs, indictments, information, witness affidavits, depositions, commitments, stipulations, replications, appeals, recognizance and appeal bonds, jury verdicts, and court decrees.

1. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L.1933, p. 786).
2. 2 U.S.S.L. 153; U.S.R.S. 1789-1874, p. 378.
3. R.S.1845, p. 323,324,414,418,419; L.1865, p. 79,80; L.1871-72, p. 325; R.S.1874, p. 262,263; 2 U.S.S.L. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S.S.L. 596-607; 44 U.S.S.L. 709,710.
4. R.S.1874, p. 617; L.1933, p. 678.

124. COMMON LAW (Pending Cases), 1927--. 1 f.b. (319).
Files of pending common law cases, showing date, names of plaintiff and defendant, type of action, and court orders. No obvious arr. For index, see entry 147. Hdw. and typed on pr. fm. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

125. CRIMINAL LAW (Pending Cases), 1934--. 1 f.b. (330).
Original papers of active criminal cases, showing date, name of defendant, court proceedings, and orders of continuance. No obvious arr. No index. Hdw. and typed on pr. fm. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

126. COUNTY COURT RECORD (Common Law), 1872--. 2 v. (B,C).
Record of proceedings in common law cases, including confessions, dependent and delinquent cases, and record of bonds of county officers, showing term date, case number, names of plaintiff, defendant, and attorneys, type of action, and court orders. Also contains Insane and Conservators' Record, 1872-1904, entry 130, and Default Record, 1895--, entry 133. Arr. by date of case. Indexed alph. by names of plaintiff and defendant; for sep. index, see entry 122. 1872-1936, hdw.; 1937--, typed. 540 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

127. COUNTY COURT RECORD, CRIMINAL, 1872--. 2 v. (1, B).
Record of proceedings in criminal cases, showing case number, names of defendant and attorneys, nature of charge, term date, and court orders. Arr. by date of case. Indexed alph. by name of defendant; for sep. index, see entry 122. 1872-1916, hdw.; 1917--, typed. 540 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

128. INSANITY FILES, 1935--. 1 f.b.
Pending original petitions for commitment to asylum, including applications for writ of restoration to reason, subpoenas, venires for jury, jury verdicts, commitment warrants, and reports of state hospitals on condition of patient. Arr. by date of instrument. No index. Hdw. and typed on pr. fm. $7\frac{1}{2}$ x 4 x $10\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

129. INSANE RECORD, 1886-1904. 2 v. (A, 1 not labeled).
Record of insanity cases, showing name and age of alleged insane person, examiners' report, court orders, and date of commitment or discharge. Also contains Record of Findings and Order Feeble-minded, entry 131. Arr. by date of case. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

130. INSANE AND CONSERVATORS' RECORD, 1905--. 3 v. (6-8).
1872-1904 in County Court Record (Common Law), entry 126.
Proceedings in insanity cases, showing date of court term, names of petitioner, person alleged insane, judge, witnesses, clerk, and members of examining commission, physician's report, proceedings, and court orders. Also contains Record of Findings and Order Feeble-minded, 1904-14, entry 131, and Conservators' Bonds and Letters, 1906-29, entry 161. Arr. by date of court term. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

131. RECORD OF FINDINGS AND ORDER FEEBLE-MINDED, 1915--. 1 v.
1886-1904 in Insane Record, entry 129; 1905-14 in Insane and
Conservators' Record, entry 130.

Record of findings in feeble-minded cases, showing names of alleged feeble-minded person, judge, sheriff, and state institution to which committed, dates, and court orders. Arr. by date of findings. Indexed alph. by name of alleged feeble-minded person. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

132. ADOPTION RECORD, 1917--. 1 v. (A). 1839-1916 in Probate Court Record, entry 149.

Record of petitions for adoption, showing names of petitioner and custodian, name, age, and birthplace of child, and court orders. Arr. by date of petition. Indexed alph. by name of child. Typed. 500 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.

133. DEFAULT RECORD, 1873-94. 1 v. 1895-- in County Court Record (Common Law), entry 126.

Record of judgments by default, showing names of plaintiff and defendant, date, type of action, amount of judgment, and court orders. Arr. by date of default. Indexed alph. by name of defendant. Hdw. on pr. fm. 405 p. 18 x 12 x 1 1/2. Co. clk.'s vlt., 1st fl.

Dockets

Court Dockets

134. EXECUTION (and Judgment) DOCKET, 1858--. 2 v. (1 not numbered, 1). Docket of judgments and executions, showing dates, execution number, names of plaintiff, defendant, and county officer, amount, costs, and remarks. Arr. alph. by name of defendant. No index. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

135. JUDGE'S DOCKET, COUNTY COURT, 1872--. 4 v. (1-3, 1 not numbered). Docket of common law and criminal cases, including fines and record of probation cases, showing term date, case number, names of plaintiff, defendant, attorneys, and probationer, type of action, amount of costs and fines, terms of probation, and abstract of proceedings. Also contains Insanity Docket, 1872-92, entry 137. Arr. by date of case. 1872-1935, no index; 1936--, indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 300 p. 18 x 13 x 2 1/2. V. 1, 2, 1872-1914, attic strm., 3rd fl.; v. 3, 1915-35, co. clk.'s vlt., 1st fl.; 1 v. not numbered, 1936--, co. clk.'s off., 1st fl.

136. COUNTY COURT GENERAL DOCKET, 1914--. 1 v. (1).

Docket of cases in county court, showing date, names of plaintiff, defendant, and attorneys, type of action, and court orders. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 100 p. 18 x 13 x 1 1/2. Co. clk.'s vlt., 1st fl.

For docket of prior cases, see entry 135.

137. INSANITY DOCKET, 1893--. 2 v. (1, 2). 1869-71 in Probate Judges' Docket, entry 173; 1872-92 in Judge's Docket, County Court, entry 135.

Docket of insanity cases in county court, showing names of alleged insane person and petitioners, findings of commissioners, date, court orders, and date and place of commitment. Also contains Docket of Feeble-Minded, 1893-1914, entry 138. Arr. by date of case. Indexed alph. by name of alleged insane person. Hdw. under pr. hdgs. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

138. DOCKET OF FEEBLE-MINDED, 1915--. 1 v. 1893-1914 in Insanity Docket, entry 137.

Docket of proceedings in alleged feeble-minded cases, showing names of feeble-minded, petitioners, and witnesses, dates of petition and hearing, report of jury, and court orders. Arr. by date of case. Indexed alph. by name of feeble-minded person. Hdw. under pr. hdgs. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Justices' Dockets (See also entry 191)

139. JUSTICE OF THE PEACE DOCKET, 1836--. 44 v.

Docket of cases in justice of the peace courts, showing date, names of plaintiff, defendant, and justice, type of action, and disposition of case. Arr. by date of case. No index. Hdw. under pr. hdgs. 75 - 200 p. 12 x 8 x $\frac{1}{2}$ - 14 x 10 x 2. 39 v., 1836-1935, attic strm., 3rd fl.; 5 v., 1936--, co. clk.'s vlt., 1st fl.

Fee Books
(See also entry 84)

140. FEE BOOK (Common Law and Criminal), 1872--. 4 v. (D-G).

Register of fees received by county clerk, showing title of case, name of payer, date, type, and amount of fee, and volume or file box number. Arr. by date of payment. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

141. INSANITY AND MISCELLANEOUS FEE BOOKS, 1893--. 2 v. (A, B).

Title varies: Insanity Fee Book, v. A, 1893-1910. 1861-92 in Probate Fee Book, entry 176.

Register of fees received in insanity cases, including fees in dependent, delinquent, and adoption cases, 1911--, showing amounts of sheriff's, commissioners', physicians', and witnesses' fees, and date of payment. Arr. by date of payment. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

County Court - Probation or Parole;
Inheritance Tax; Naturalization

Probation or Parole
(See also entry 135)

Juvenile

142. (RECORD OF VISITS), 1939--. 1 v.

Investigators' record of visits to probationers and mothers, showing name of probationer or mother, number and ages of children, date of visit, and investigator's report and recommendations. Arr. by date of visit. No index. Hdw. 75 p. 6 x 4 x 1/2. Off. of probation officer, 1st fl.

Mothers' Pension (See
also entries 16, 17, 239)

143. JOURNAL, 1939--. 1 v.

Journal of mothers' pension payments, showing name of mother, date and amount of monthly payment, date of discontinuance, and remarks. Arr. by date of application. No index. Hdw. under pr. hdgs. 50 p. 16 x 10 x 1/2. Off. of probation officer, 1st fl.

Inheritance Tax

144. INHERITANCE TAX DOCKET, 1914--. 1 v. 1898-1913 in Probate Judges' Docket, entry 173.

Docket of inheritance tax cases, showing names and relationship of heirs, name of estate, description of property, amount of tax, and date of payment. Arr. by date of case. Indexed alph. by name of estate. Hdw. under pr. hdgs. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Naturalization
(See also entries 192, 212-214)

145. NATURALIZATION RECORD, 1857-1906. 2 v. (A, 2).

Record of declarations of intention, showing name, age, address, and nationality of alien, length of residence in the United States, final oath, and court order granting citizenship. Arr. by date of application. Indexed alph. by name of alien. Hdw. on pr. fm. 450 p. 16 x 11 x 2. Co. clk.'s vlt., 1st fl.

V. PROBATE COURT

Jurisdiction in probate matters in Effingham County was vested in a separate probate court, from the organization of the county in 1833, until 1849. From 1833 to 1837 the court was held by the probate judge who was appointed by the General Assembly and held office during good behavior.¹ In 1837 it was provided that the probate court be held in each county by the probate justice of the peace who was elected by the county electorate for a two-year term, with a four-year term effective in 1839.² The term was reduced in 1847 to two years.³ The jurisdiction of the probate court was transferred to the newly created county court in 1849.⁴ The Effingham county court has retained probate jurisdiction from that date to the present.⁵

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, all matters relating to apprentices, and cases of sales of real estate of deceased persons for payment of debts.⁶

Appeals may be taken from the final orders, judgments, decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bonds and security in such amount and upon such condition as the court shall require.

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.⁷ Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

1. L.1821, p. 119; L.1823, p. 132; L.1825, p. 87.

2. L.1836-37, p. 176.

3. L.1845, p. 28. Effective in 1847.

4. Constitution of 1848, Art. V, sec. 16, 18: L.1849, p. 65.

5. R.S.1874, p. 339,340; L.1933, p. 449,458.

6. Constitution of 1870, Art. VI, sec. 20: L.1877, p. 80.

7. L.1825, p. 70-72; R.L.1829, p. 208; R.L.1833, p. 627,628; R.S.1845, p. 548; L.1871-72, p. 89; L.1881, p. 3; L.1889, p. 165.

Probate Court

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the estate.¹ If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.²

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.³ Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and custody and tuition of the ward to another.⁴ Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.⁵ At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled to them the property and papers in his hands as guardian.⁶ Upon failure of a guardian appointed by the court to act within three months in this capacity, the court commits the guardianship of the minor to the public guardian.⁷ The latter's records appear with those of other guardians.

The early probate judge, 1821 to 1837, and the probate justice of the peace, 1837 to 1849, each performed the ministerial function of the

1. R.L.1833, p. 628; R.S.1845, p. 548; L.1871-72, p. 89.

2. R.S.1845, p. 549; L.1871-72, p. 89,90.

3. L.1831, p. 100; L.1835, p. 36; R.S.1845, p. 265,266; L.1873-74, p. 107; L.1919, p. 583; L.1931, p. 618; L.1937, p. 660.

4. L.1871-72, p. 469; L.1877, p. 114.

5. L.1919, p. 582; L.1933, p. 644.

6. L.1871-72, p. 471; L.1919, p. 583; L.1929, p. 506.

7. L.1889, p. 165.

Probate Court

probate clerk.¹ From the establishment of the county court in 1849, until the present, the county clerk has served as ex-officio probate clerk.²

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. His is required to enter of record all judgments, decrees, and orders of the court.³

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index; former, by name of claimant against estate; latter, by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisement and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.
4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with the body.⁴

1. L.1821, p. 119,120; R.L.1829, p. 215; L.1831, p. 192; R.S.1845, p. 427,428.
2. Constitution of 1848, Art. V, sec. 16,18; L.1849, p. 63-65; R.S.1874, p. 339,340.
3. L.1877, p. 82.
4. L.1821, p. 119,120; R.L.1829, p. 215,231; L.1837, p. 177,178; R.S.1845, p. 427,428; L.1851, p. 193; L.1859, p. 92-94; R.S.1874, p. 260-65; L.1877, p. 63; L.1933, p. 293.

Proceedings of Court

General Proceedings

146. MISCELLANEOUS PROBATE INDEX, 1838--. 3 f.d.

Card index to Mothers' and Blind Pensions, entry 16; Pension Records Blind and Mothers', entry 17; (Probate Files), entry 148; Probate Court Record, entry 149; (Wills), entry 153; Will Record, entry 155; Administrators' Record, entry 156; Administrators' Record, Will Annexed, entry 157; Administrators' Record, De Bonis Non, entry 158; Executors' Record, entry 159; Guardians' Record, entry 160; Heirship Record, entry 162; Inventory Record, entry 163; Guardians' (and Conservators') Inventory Record, entry 164; Appraisement Record, entry 165; Widows' Relinquishment and Selection Record, entry 166; Report of Sale of Real Estate (Administrator and Executor), entry 167; Personal Property Sales Record, entry 168; Guardians' Real Estate Sales Record, entry 169; Administrators' and Executors' Report Record, entry 171; Guardians' and Conservators' Report Record, entry 172; Docket of Claims Allowed, entry 174; Probate Fee Book, entry 176; Guardians' and Conservators' Fee Book, entry 177; and Miscellaneous Record, entry 179, showing name of estate, date of first letters, book and page of entry, and file box number. Arr. alph. by name of estate. Hdw. on pr. fm. 14 x 5 x 24. Co. clk.'s off., 1st fl.

147. PROBATE INDEX, 1838--. 2 v. (1, 2).

Index to Common Law (Pending Cases), entry 124; (Probate Files), entry 148; Probate Court Record, entry 149; Insolvent Record, entry 152; (Wills), entry 153; Will Record, entry 155; Administrators' Record, entry 156; Administrators' Record, Will Annexed, entry 157; Administrators' Record, De Bonis Non, entry 158; Executors' Record, entry 159; Guardians' Record, entry 160; Heirship Record, entry 162; Inventory Record, entry 163; Guardians' (and Conservators') Inventory Record, entry 164; Appraisement Record, entry 165; Widows' Relinquishment and Selection Record, entry 166; Report of Sale of Real Estate (Administrator and Executor), entry 167; Personal Property Sales Record, entry 168; Guardians' Real Estate Sales Record, entry 169; Unapproved Reports, entry 170; Administrators' and Executors' Report Record, entry 171; Guardians' and Conservators' Report Record, entry 172; Docket of Claims Allowed, entry 174; Probate Fee Book, entry 176; Guardians' and Conservators' Fee Book, entry 177; Probate Fee Book, Claims, entry 178; and Miscellaneous Record, entry 179, showing name of estate, book and page of entry, and file box number. Arr. alph. by name of estate. Hdw. under pr. hdgs. 340 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

148. (PROBATE FILES), 1838--. In (County Clerk's Miscellaneous Files), entry 85.

Files of probate court papers in settlement of estates, including petitions, oaths, bonds, and letters of administrators, conservators, guardians, and executors, proof of will, accounts current, proof of heirship, reports on condition of estates, final reports of administrators, conservators, guardians, and executors, inventories, appraisements, sale bills, widows' selections, claims against estate, and court orders and decrees. For indexes, see entries, 146, 147.

149. PROBATE COURT RECORD, 1838--. 30 v. (1, A, A-Z, 1, 2).

Record of proceedings in probate court of estate settlements, including petitions, bonds, oaths, letters of administration, orders finding heirship, and court orders and decrees. Also contains Adoption Record, 1839-1916, entry 132; Insolvent Record, 1842-75, 1887--, entry 152; Administrators' Record, 1838-53, entry 156, including Executors' Record, entry 159, Guardians' Record, entry 160, Conservators' Bonds and Letters, entry 161, and Administrators' Record, Will Annexed, entry 157, which in turn includes Administrators' Record, De Bonis Non, entry 158; Heirship Record, 1838-1911, entry 162; Inventory Record, 1838-89, entry 163; Guardians' (and Conservators') Inventory Record, 1839-72, entry 164; Appraisement Record, 1838-54, entry 165; Report of Sale of Real Estate (Administrator and Executor), 1838-73, 1889-1908, entry 167; Personal Property Sales Record, 1838-55, entry 168; Guardians' Real Estate Sales Record, 1838-73, 1896-1908, entry 169; and Administrators' and Executors' Report Record, 1838-50, entry 171, including Guardians' and Conservators' Report Record, entry 172. Arr. by date of instrument. For indexes, see entries 146, 147. 1838-1915, hdw.; 1916--, typed. 200 - 500 p. 19 x 8 x 1 $\frac{1}{2}$ - 13 x 8 x 2 $\frac{1}{2}$. V. 1, 1838-49, attic strm., 3rd fl.; v. A, A-Z, 1, 2, 1850--, co. clk.'s vlt., 1st fl.

150. ADMINISTRATORS' AND EXECUTORS' CASES (Pending), 1930--. 21 f.b.

Files of original documents in pending administrators' and executors' cases, including petitions, bonds, letters testamentary, inheritance tax reports, claims, affidavits of publishing notices, assignments, reports of sale, and orders to sell personal property, appraisement bills, inventories, orders finding heirship, proofs of death, and oaths of administrative officer. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

151. GUARDIANS' AND CONSERVATORS' CASES (Pending), 1925--. 13 f.b.

Files of original documents in pending guardians' and conservators' cases, including petitions, bonds, letters testamentary, inheritance tax reports, claims, affidavits, assignments, reports of sale and orders to sell personal property, appraisement bills, inventories, orders finding heirship, and oaths of administrative officers. Arr. alph. by name of minor or incompetent. No index. Hdw. and typed. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

152. INSOLVENT RECORD, 1876-86. 1 v. 1842-75, 1887-- in Probate Court Record, entry 149.

Record of insolvent estates, showing dates of entry and record, inventory and appraisement of estate, names of deceased, estate, and widow, amount of allowance to widow, and report declaring estate insolvent. Arr. by date of entry. Indexed alph. by name of estate; for sep. index, see entry 147. Hdw. on pr. fm. 300 p. 18 x 12 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Wills, Bonds, Letters (See also
entries 88[xii], 179[i, viii]).

153. (WILLS), 1848--. 29 f.b. (217-238, 433-436, 439-441).

Original wills filed in settlement of probate estates, showing names of testator, witnesses, attorney, and heirs, provisions of will, and dates of will, execution, and filing. Arr. by date of filing. For indexes, see entries 146, 147. 1848-1912, hdw.; 1913--, hdw. and typed. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

154. WILLS (Pending Cases), 1919--. 1 f.b.
Original wills filed in pending estate cases, showing names of testator, witnesses, attorney, and heirs, provisions of will, and dates of execution and filing. No obvious arr. No index. Typed and hdw. 10 1/2 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

155. WILL RECORD, 1838--. 9 v. (1, A-H).
Copies of wills, applications to probate wills, and proofs of death and will, showing names of deceased, county clerk, sheriff, administrative officer, county judge, witnesses, and legal heirs, and dates of death, hearing, and proof of will. Arr. by date of hearing. Indexed alph. by name of testator; for sep. indexes, see entries 146, 147. 1838-71, hdw.; 1872-1906, hdw. on pr. fm.; 1907--, typed. 200 - 500 p. 12 x 8 x 1 - 17 x 11 x 3. Co. clk.'s vlt., 1st fl.

156. ADMINISTRATORS' RECORD, 1854--. 10 v. (AI, 3, A, 1854-1904; B-H, 1877--). Title varies: Petition, Letters, and Bonds, v. AI, 1854-63; Administrators' and Executors' Record, v. A, 1872-1904. 1838-53 in Probate Court Record, entry 149.

Record of administrators' petitions, oaths, bonds, and letters, showing names of estate, judge, administrator, sureties, and heirs, dates of petitions, letters, and oath, date, amount, and obligations of bond, oath of office, and acknowledgment. Also contains Administrators' Record, De Bonis Non, 1854-72, entry 158, including Administrators' Record, Will Annexed, entry 157; Executors' Record, 1854-78, entry 159; Guardians' Record, 1854-63, entry 160; and Conservators' Bonds and Letters, 1854-79, entry 161. Arr. by date of recording. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. 1834-54, hdw.; 1855--, hdw. on pr. fm. 150 - 600 p. 14 x 10 x 1 - 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

157. ADMINISTRATORS' RECORD, WILL ANNEXED, 1905--. 2 v. (C, D). 1838-53 in Probate Court Record, entry 149; 1854-72 in Administrators' Record, entry 156; 1873-1904 in Administrators' Record, De Bonis Non, entry 158.

Copies of petitions, oaths, bonds, and letters of administrator with will annexed, showing names of estate, judge, clerk, administrative officer, heirs, and sureties, dates of petition, letters, oath, and will, date, amount, and obligations of bond, oath of office, and order for appointment. Arr. by date of petition. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 300 p. 17 x 11 x 1 1/2. Co. clk.'s vlt., 1st fl.

158. ADMINISTRATORS' RECORD, DE BONIS NON, 1873-1915, 1925--. 3 v. (A, B, E). Title varies: Probate Bonds and Letters, Miscellaneous, v. A, 1873-1909. 1838-53 in Probate Court Record, entry 149; 1854-72 in Administrators' Record, entry 156; 1916-24 in Miscellaneous Record, entry 179.

Copies of petitions, bonds, oaths, and letters of administrator de bonis non, showing names of deceased, judge, clerk, heirs, administrator, and sureties, dates of petition, oath, bond, and letters, amount and obligations of bond, and acknowledgment. Also contains Administrators' Record, Will Annexed, 1873-1904, entry 157. Arr. by date of instrument. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

159. EXECUTORS' RECORD, 1879--. 4 v. (B-E). 1838-53 in Probate Court Record, entry 149; 1854-78 in Administrators' Record, entry 156. Copies of executors' petitions, bonds, oaths, and letters, showing names of estate, judge, executor, and sureties, dates of letters and oath, date, amount, and obligations of bond, oath of executor, and acknowledgment. Arr. by date of bond. Indexed alph. by name of deceased; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 150 - 300 p. 14 x 10 x 1 - 18 x 14 x 2. Co. clk.'s vlt., 1st fl.

160. GUARDIANS' RECORD, 1864--. 6 v. (A-F). 1838-53 in Probate Court Record, entry 149; 1854-63 in Administrators' Record, entry 156. Copies of guardians' petitions, letters, oaths, and bonds, showing names of estate, guardians, sureties, and clerk, date, amount, and obligations of bond, and date and terms of letters. Arr. by date of recordation. Indexed alph. by name of minor; for sop. indexes, see entries 146, 147. Hdw. on pr. fm. 500 - 600 p. 18 x 13 x 2 - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

161. CONSERVATORS' BONDS AND LETTERS, 1880-1905, 1930--. 2 v. (A, A). Title varies: Conservators' Record, v. A, 1880-1905. 1838-53 in Probate Court Record, entry 149; 1854-79 in Administrators' Record, entry 156; 1906-29 in Insane and Conservators' Record, entry 130. Copies of conservators' petitions, letters, oaths, and bonds, showing names of petitioner, incompetent, witnesses, judge, and sureties, dates of letters and petition, and date, amount, and obligations of bond. Arr. by date of petition. Indexed alph. by name of incompetent. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Heirship

162. HEIRSHIP RECORD, 1912--. 4 v. (A-D). 1838-1911 in Probate Court Record, entry 149. Copies of proofs of heirship, showing names of deceased and heirs, affidavit as to identity of heirs, signatures of heirs, witnesses, and attorney, court order admitting proof, and dates of order and filing. Arr. by date of filing. Indexed alph. by name of deceased; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 500 p. 16 x 12 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Inventories and Appraisements (See also entry 179[xiv])

163. INVENTORY RECORD, 1890--. 8 v. (A-H). 1838-89 in Probate Court Record, entry 149. Administrators' and executors' inventory record showing date, names of estate, judge, and administrative officer, list and value of real estate and chattel property, status of notes and accounts, oaths and signatures of administrative officer and judge, and date of filing. Arr. by date of filing. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. 1890-1926, hdw. on pr. fm.; 1927--, typed and hdw. on pr. fm. 440 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Probate Court - Proceedings
of Court

164. GUARDIANS' (and Conservators') INVENTORY RECORD, 1873--. 2 v.
(A, B). 1839-72 in Probate Court Record, entry 149.

Guardians' and conservators' inventory record, showing names of estate, minor or incompetent, and administrative officer, legal description and value of real estate, estimated rental, list and value of chattel property, annuities, and credits, statement of true bill by guardian, and dates of filing and recording. Arr. by date of filing. Indexed alph. by name of minor or incompetent; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 450 p. 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

165. APPRAISEMENT RECORD, 1855--. 8 v. (A-H). 1838-54 in Probate Court Record, entry 149.

Record of appraisements of estates in probate, showing names of estate, appraiser, widow, and heirs, court order appointing appraiser, dates of oath, appraisement, and acknowledgment, itemized statement and value of real and personal property, total value, and amount allowed widow and minor children. Arr. by date of appraisement. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. 1855-69, hdw.; 1870--, hdw. on pr. fm. 300 p. 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Widows' Relinquishment and Selection

166. WIDOWS' RELINQUISHMENT AND SELECTION RECORD, 1884--. 4 v. (A-D).

Relinquishments and selections by widow from estate of decedent, showing names of estate, widow, and appraiser, list of items selected, relinquished, and allowed, appraised value, appraisement bill of personal property, statement of appraiser, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased; for sep. indexes, see entries 146, 147. 1884-1925, hdw. under pr. hdgs.; 1926--, typed under pr. hdgs. 300 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Petitions, Decrees, Reports of Sale (See also entry 179[xii,xiii])

167. REPORT OF SALE OF REAL ESTATE (Administrator and Executor), 1874-88, 1909--. 4 v. (A-D). 1838-73, 1889-1908 in Probate Court Record, entry 149.

Copies of proceedings on petitions to sell real estate and reports of sale of real estate to pay debts, showing dates of petition, sale, and report, names of estate, claimant, petitioner, administrative officer, and purchaser, legal description of property, court order approving sale, and date of filing. Also contains Guardians' Real Estate Sales Record, 1909--, entry 169. Arr. by date of filing. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 250 p. 17 x 12 x 2. Co. clk.'s vlt., 1st fl.

168. PERSONAL PROPERTY SALES RECORD, 1854-1934. 6 v. (I, A-E). Title varies: Record of Sale Bills, v. I, 1854-74. 1838-53 in Probate Court Record, entry 149; 1935-- in Miscellaneous Record, entry 179.

Copies of sale of personal property of estates, showing date, names of estate and purchaser, itemized list of articles sold, date, place, amount, and terms of sale, and amount allowed widow. Arr. by date of sale. Indexed alph. by name of deceased; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 285 - 300 p. 14 x 10 x 2 - 18 x 12 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

169. GUARDIANS' REAL ESTATE SALES RECORD, 1874-95. 1 v. 1838-75, 1896-1908 in Probate Court Record, entry 149; 1909-- in Report of Sale of Real Estate (Administrator and Executor), entry 167.

Guardians' and conservators' record of proceedings on petitions and report of sale of real estate, showing names of guardian, minor, and purchaser, date, amount, and place of sale, legal description of property, court order approving sale, and date of filing report. Arr. by date of filing. Indexed alph. by name of minor; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 425 p. 18 x 14 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Reports, Current and Final Accounts

170. UNAPPROVED REPORTS, 1927--. 1 f.b. (295).

Reports of administrative officers concerning pending estates, including letters of administration, petitions, bonds, inventories, and appraisements. Arr. by date of filing. For index, see entry 147. Hdw. and typed on pr. fm. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

171. ADMINISTRATORS' AND EXECUTORS' REPORT RECORD, 1851--. 6 v. (1, B-E, 2). Title varies: Account Current Administrators', v. 1, 1851-61; Administrators', Executors' and Guardians' Account Current, v. B-E, 1862-1935. 1838-50 in Probate Court Record, entry 149.

Copies of administrators' and executors' reports, showing names of estate, petitioner, and heirs, dates of petition and letters, date, amount, and purpose of receipts and disbursements, statement of true bill, signatures of heirs and agent, recapitulation of accounts, and date of filing. Also contains Guardians' and Conservators' Report Record, 1851-1933, entry 172. Arr. by date of filing. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. 1851-61, hdw.; 1862-1935, hdw. on pr. fm.; 1936--, typed. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

172. GUARDIANS' AND CONSERVATORS' REPORT RECORD, 1934--. 1 v. (1). 1838-50 in Probate Court Record, entry 149; 1851-1933 in Administrators' and Executors' Report Record, entry 171.

Copies of guardians' and conservators' reports, showing names of minor or incompetent, administrative officer, and estate, dates of report and filing, items, amount, date, and purpose of receipts and expenditures, recapitulation of accounts, balance in estate, and statement of true bill by administrative officer. Arr. by date of filing. Indexed alph. by name of minor or incompetent; for sep. indexes, see entries 146, 147. Typcd. 500 p. 18 x 14 x 2. Co. clk.'s vlt., 1st fl.

Dockets

173. PROBATE JUDGE'S DOCKET, 1838--. 19 v. (1, A-E, I-T, 1 not labeled). Missing: 1898-1903.

Docket of probate cases, showing date of court term, names of estate, judges, administrative officer, and attorneys, court orders, and book and page of entry in record. Also contains Insanity Docket, 1869-71, entry 137; Inheritance Tax Docket, 1898-1913, entry 144; Docket of Claims Allowed, 1838-47, entry 174; Dockets of Settlements Due, 1838-60, 1897--, entry 175. Arr. by date of case. No index. 1838-1928, hdw. on pr. fm.; 1929--, typed on pr. fm. 200 - 900 p. 13 x 8 x 1 - 15 x 12 x 5. Co. clk.'s vlt., 1st fl.

174. DOCKET OF CLAIMS ALLOWED, 1848--. 4 v. (A-D). 1838-47 in Probate Judges' Docket, entry 173.

Docket of claims allowed, showing names of estate and claimant, date, amount, and nature of claim, date and amount allowed, and date of filing. Arr. by date of filing. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. 1848-77, hdw.; 1878--, hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

175. DOCKETS OF SETTLEMENTS DUE, 1861-96. 1 v. 1838-60, 1897-- in Probate Judges' Docket, entry 173.

Estate docket of settlements due, showing date, case number, names of estate, administrative officer, and sureties, dates of letters, annual, and final reports, amount due and approved, and remarks. Arr. by date of settlement. Indexed alph. by name of estate. Hdw. on pr. fm. 200 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.

Fee Books

176. PROBATE FEE BOOK, 1861--. 9 v. (1 not lettered, A-H).

Register of all fees received in administrators' and executors' cases, including witness fees, showing date, names of estate and administrative officer, date, amount, and purpose of fee received or money disbursed, and itemized statements of fees. Also contains Insanity and Miscellaneous Fee Books, 1861-92, entry 141; Guardians' and Conservators' Fee Book, 1861-83, entry 177; and Probate Fee Book, Claims, 1861-70, entry 178. Arr. by date of payment. Indexed alph. by name of estate; for sep. indexes see entries 146, 147. 1861-73, hdw.; 1874--, hdw. under pr. hdgs. 90 - 500 p. 12 x 8 x 1 - 18 x 13 x 2 1/2. Co. clk.'s vlt., 1st fl.

177. GUARDIANS' AND CONSERVATORS' FEE BOOK, 1884--. 3 v. (C-E). 1861-83 in Probate Fee Book entry 176.

Register of fees received in guardianship and conservatorship cases, including witness fees, 1885--, showing date, names of estate and administrative officer, amounts and nature of fees received and moneys disbursed, and itemized statements of fees. Arr. by date of payment. Indexed alph. by name of estate; for sep. indexes, see entries 146, 147. Hdw. on pr. fm. 300 p. 17 x 11 x 1 1/2. Co. clk.'s vlt., 1st fl.

178. PROBATE FEE BOOK, CLAIMS, 1871-84. 1 v. 1861-70 in Probate Fee Book, entry 176.

List of fees claimed by witnesses and for serving executions, showing dates, amount, and nature of fee claimed, names of estate, administrative officer and claimant, court orders granting payment, and date and amount of payment. Arr. by date of claim. Indexed alph. by name of estate; for sep. index, see entry 147. Hdw. on pr. fm. 576 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

For subsequent witness fees in administrators' and executors' cases, see entry 176; for subsequent witness fees in guardianship and conservatorship cases, see entry 177.

Miscellaneous Records

179. MISCELLANEOUS RECORD, 1891--. 3 v.

Record of miscellaneous documents including:

- i. Administrators' bonds, 1899--, showing names of estate, administrator, and sureties, date, amount, and obligations of bond, and dates of filing and approval.
- ii. Architects' licenses, 1897, showing date and number of license, name and address of architect, certification to practice, signatures of president and secretary of board, and date of filing.
- iii. Bills of sale of personal property, 1914--, showing names of estate, administrative officer, and purchaser, selling prices of various articles, total amount received, and date of filing.
- iv. Bond and oaths of city, township, and county officers, 1892--, including mayor, police magistrate, supervisor of assessments, city commissioners, coroner, county clerk, county collector, sheriff, state's attorney, recorder and circuit clerk, deputy sheriffs and clerks, superintendent of schools, and assistant superintendent of schools, showing names of official, sureties, and office, oath, acknowledgment, date, and name of officer administering oath.
- v. Certificates of appointment of special bank guards by sheriff, including oaths, 1931, showing names of sheriff, clerk, and appointee, and dates of oath and appointment.
- vi. Certificates of registered nurses, 1917, showing name and address of nurse, date, and number of certificate, certification and signatures of board of examiners, and dates of graduation and registration.
- vii. Charters of fire insurance companies, 1897--, showing names of company officers, county, and city in which office is located, and dates of charter and filing.
- viii. Guardians' bonds, 1907--, showing names of guardian, minor, and sureties, date, amount, and obligations of bond, and dates of filing and approval.
- ix. Inventories of personal property in settlement of estates, 1911--, showing date, names of estate and administrative officer, list and value of personal property, and date of filing.
- x. Petitions for bond issue to build schools, 1937--, showing date and purpose of petitions, names of petitioners, school district number, report on petition, amount of bond issue, dates of maturity of bonds, question to be voted on, results of election, and dates of filing.

- xi. Petitions to county board for improvement of streets, 1906--, showing name of town or city, date and purpose of petition, description and location of streets, names of petitioners, city officials, and judge, and dates of reading and approval.
- xii. Petitions for sale of personal property to pay debts, 1907--, showing names of estate and administrative officer, list and value of personal property, and date of filing.
- xiii. Reports by administrator of sale of real estate to pay debts, 1902--, showing dates of petition, sale, and report, name of estate, petitioner, administrator, and purchaser, description of property, court order approving sale, and date of filing.
- xiv. Reports of appraiser, 1901--, showing names of estate and appraiser, list and value of personal property, and dates of appraisement, report, and filing.
- xv. Resolutions of board of supervisors to issue bonds to build gravel roads in townships, 1937--, showing date of resolution, name of township, location of road, amount of bond issue, date of maturity of bonds, and rate of interest.
- xvi. Resolutions passed by Effingham County Bar in 1930 upon the death of Judge Barney Overbeck commending his faithful performance of duty as judge and as attorney for more than forty years.

Also contains Administrators' Record, De Bonis Non, 1916-24, entry 158, and Personal Property Sales Record, 1935--, entry 168. For indexes, see entries 146, 147. Arr. by date of filing. 1891-1906, hdw.; 1907--, typed. 592 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition it is one of the courts capable of exercising naturalization jurisdiction according to Federal statutes.²

Originally, the circuit court was held in Effingham County by justices of the Supreme Court.³ In 1835 the judiciary was reorganized and a circuit judge was appointed by the General Assembly for the district serving Effingham County. All of the laws requiring Supreme Court justices to hold circuit courts were repealed by this legislation.⁴ The new plan of organization was in effect for a brief period of six years, for in 1841, additional associate justices of the Supreme Court were appointed by joint ballot of the General Assembly, which justices, together with the other justices of the Supreme Court, held the circuit courts.⁵ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.⁶ The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.⁷ From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The fourth circuit is made up of nine counties, one of which is Effingham.

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.⁸ The salary for those circuit court judges elect-

1. Constitution of 1870, Art. VI, sec. 12; L.1871-72, p. 109; R.S.1874, p. 344; L.1895, p. 189; L.1933, p. 688; L.1935, p. 1.
2. 2 U.S.S.L. 165; U.S.R.S. 1789-1874, p. 778-80; 34 U.S.S.L. 596; 37 U.S.S.L. 737; 44 U.S.S.L. 709. (Circuit courts still retain naturalization jurisdiction, but do not exercise it where U.S. District Courts are convenient).
3. R.L.1829, p. 48.
4. L.1835, p. 150,151.
5. L.1841, p. 173; R.S.1845, p. 143.
6. Constitution of 1848, Art. V, sec. 7,15.
7. Constitution of 1870, Art. VI, sec. 13.
8. L.1933, p. 436.
9. Constitution of 1870, Art. VI, sec. 12; L.1933, p. 436.

Circuit Court

ed after the first Monday of June, 1933 was set at \$7,200, and for those elected after the first Monday of June, 1939 the amount was increased to \$8,000. The salaries are paid from the state treasury.¹

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.² The circuit court also hears and determines the election contests of some of the local and county officers. These include contest of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats, and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.³

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Effingham County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order, or decision inquired into and determined.⁴

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Effingham County is in session. A branch court is held by any circuit judge of this circuit or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.⁵

1. L.1933, p. 621; L.1937, p. 189,606. In 1835 the salary of the circuit judge was \$790 per annum (L.1835, p. 167). The Constitution of 1870 set the salary at \$3,000 until otherwise provided by law (Art. VI, sec. 16). A few of the other changes were: from 1919 to 1925 for judges elected during this period, \$6,500; for the period 1925 to 1933, those elected received \$8,000 per year (L.1919, p. 553,554; L.1925, p. 400; L.1931, p. 148).
2. L.1899, p. 152.
3. L.1871-72. p. 396; L.1895, p. 170.
4. L.1921, p. 742,743.
5. L.1873-74, p. 82,83; L.1905, p. 146.

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Also, to aid in the speedy administration of justice, the judges, or a majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or portion thereof shall be devoted to criminal business, and what term or portion thereof to civil business.¹

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives, and is paid out of the state treasury, an annual salary of \$3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.²

The probation officer for adult probationers is an appointee of the circuit court.³ His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release, on probation, adult or juvenile offenders found guilty of committing certain specified offenses.⁴ In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000 and is subject to the rules of and removal by the appointing court.⁵ Effingham County has one probation officer under a law of 1915 which provided for one such officer for each fifty thousand, or fraction thereof, of population.⁶

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the cases of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts;

1. L.1835, p. 167,168; L.1933, p. 441,442.

2. L.1933, p. 463,464.

3. L.1911, p. 280.

4. Ibid., p. 277.

5. Ibid., p. 280,281; L.1915, p. 380,381.

6. L.1915, p. 380. School census to be basis for determining population.

Circuit Court

keep a set of records as described below; take charge of, and watch over, all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation officers in other counties of any probationers under his supervision who may move into those counties.¹

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.²

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.³ This official performs the ministerial duties of the circuit court of Effingham County and files and preserves its records as well as those of the branch circuit courts.⁴ He is commissioned by the Governor and before entering upon the duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.⁵ If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the same manner as the regularly elected clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.⁶

The clerk of the circuit court was first appointed by the circuit judge in Effingham County.⁷ He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.⁸ The clerk preserved a complete record of all proceedings and determina-

1. L.1911, p. 281,282; L.1915, p. 381,382.

2. L.1911, p. 277-84; L.1915, p. 378-84.

3. Constitution of 1848, Art. V, sec. 7,21,29; Constitution of 1870, Art. X, sec. 8.

4. L.1905, p. 147.

5. R.S.1874, p. 260.

6. L.1873-74, p. 95.

7. Constitution of 1818, Art IV, sec. 6; R.L.1833, p. 152; R.S.1845, p. 146.

8. L.1819, p. 349.

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tions of the court of which he was clerk.¹ At each term of the circuit court, the clerk inquired into the condition and the treatment of prisoners and was required to see that all prisoners were humanely treated.² This authority was in later years, and is at present, delegated to the circuit court.³ One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.⁴ The Constitution of 1848 made the clerk of the circuit court an elective officer of the county with a four-year term. This arrangement has continued until the present.⁵

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.⁶ This order is entered as of record and the compensation of such assistants and deputies is set by the county board.⁷

Among the records kept by the clerk for the circuit court are the following:⁸

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date the court record has been broken down into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.

1. R.L.1829, p. 44; R.L.1833, p. 152; R.S.1845, p. 147.

2. R.L.1827, p. 248.

3. R.S.1874, p. 616; L.1923, p. 424.

4. R.L.1829, p. 35.

5. Constitution of 1848, Art. V, sec. 29; Constitution of 1870, Art. X, sec. 9,

6. L.1831, p. 49; Constitution of 1870, Art. X, sec. 9.

7. Constitution of 1870, Art. X, sec. 9.

8. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L.1933, p. 786).

4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judges' and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing of the transcript with the corresponding number of the transcript.¹
8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.²

Proceedings of Court

180. INDEX TO COURT RECORDS PLAINTIFF - DEFENDANT, 1833—. 12 v. (0-5, plaintiff; 0-5, defendant).

Index to Circuit Court Files (Closed); entry 181; Chancery Court Record, entry 184; Circuit Court Record Criminal, entry 185; Circuit Court Record Common Law, entry 186; Circuit Court Record, entry 187; Fee Book Common Law, entry 201; and Fee Book Criminal, entry 203, showing names of plaintiff and defendant, type of action, term date, and book and page of entry or file box number. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

1. R.S.1874, p. 347; L.1901, p. 136,137.

2. R.L.1827, p. 217; R.S.1845, p. 323-26,414,418,419,518; L.1865, p. 79, 80; R.S.1874, p. 262,263,339,616; L.1895, p. 217; L.1933, p. 442,678; 2 U.S.S.L. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S.S.L. 596-607, 709,710; 45 U.S.S.L. 1514,1515.

181. CIRCUIT COURT FILES (Closed), 1833--. 1008 f.b. (1-817, 820-823, 834-1020).

Original documents in criminal, common law, and chancery cases, including summonses, subpoenas, affidavits of witnesses, writs of habeas corpus, justice of peace transcripts, bail and recognizance bonds, stipulations, pleas, replications, motions for new trial, court orders, jury verdicts, praecipes for record, venires for jurors, mechanics' liens, instructions to jury, and master's and sheriff's certificates of levy, sale, and redemption. Arr. by date of case. For index, 1833-79, see entry 182; for index, 1880--, see entry 180. Hdw. and typed on pr. fm.; hdw. and typed. 5 x 4 x 9. Cir. clk.'s vlt., 1st fl.

182. INDEX TO COURT PAPERS, 1833-79. 1 v.

Index to Circuit Court Files (closed), entry 181, showing names of plaintiff and defendant, action, file box number, and date of filing. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

183. PENDING CASES, 1910--. 30 pigeon holes.

Files of common law, criminal, and chancery cases, showing case number, date, names of plaintiff, defendant, and attorneys, and type of case. Arr. by date of case. No index. Hdw. on pr. fm. 6 x 4 x 8. Cir. clk.'s off., 1st fl.

184. CHANCERY COURT RECORD, 1864--. 24 v. (A-Z not consecutive, 2-17 not consecutive). 1833-63 in Circuit Court Record, entry 187.

Record of chancery cases, including default, divorce, foreclosure, and partition cases, showing names of plaintiff, defendant, and attorneys, term date, case number, action, and court orders. Arr. by term date. 1864-1923, indexed alph. by name of plaintiff; for sep. index, see entry 180. 1864-78, hdw.; 1879-1905, hdw. on pr. fm.; 1906--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

185. CIRCUIT COURT RECORD CRIMINAL, 1868--. 6 v. (1, 2, M, P, Y, 8). 1833-67 in Circuit Court Record; entry 187.

Record of criminal cases, including probation cases and recognizance bonds, showing case number, names of plaintiff, defendant, and attorneys, term date, nature of charge, action, verdict of jury, and court orders. Arr. by term date. 1868-93, indexed alph. by name of defendant; for sep. index, see entry 180. 1868-1901, hdw.; 1902-15, hdw. on pr. fm.; 1916--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

186. CIRCUIT COURT RECORD COMMON LAW, 1875--. 9 v. (H, K, R, V, 1, 3, 7, 10, 15). 1833-74 in Circuit Court Record, entry 187.

Record of common law cases, including default cases, showing names of plaintiff, defendant, and attorneys, case number, term date, action, and court orders. Also contains Confessed Judgments, Term Time and Vacation, 1875-1936, entry 190. Arr. by date of case. Indexed alph. by name of plaintiff; for sep. index, see entry 180. 1875-1905, hdw.; 1906--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

187. CIRCUIT COURT RECORD, 1833-74. 5 v. (1/2, B-E).

Record of common law, criminal, and chancery cases, including probation cases and recognizance bonds, showing term date, case number, names of judge, attorneys, plaintiff, and defendant, type of case, verdict of jury, and court ruling and decree. Subsequent to 1863, 1867, and 1874, respectively, kept as Chancery Court Record, entry 184; Circuit Court Record Criminal, entry 185; Circuit Court Common Law, entry 186, including Confessed Judgments, Term Time and Vacation, entry 190. Arr. by date of case. Indexed alph. by name of plaintiff; for sep. index, see entry 180. Hdw. 322 - 400 p. 1 $\frac{1}{4}$ x 10 x 2 - 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

188. PRAECLPSE FOR EXECUTION, 1874--. 2 v.

Copies of requests for executions of judgment, showing date of request, names of plaintiff and defendant, and signature of plaintiff's attorney. Arr. by date of request. No index. Hdw. on pr. fm. 400 p. 13 $\frac{1}{2}$ x 8 $\frac{1}{2}$ x 1 $\frac{1}{2}$. 1 v., 1874-1914, attic strm., 3rd fl; 1 v., 1915--, cir. clk.'s off., 1st fl.

189. PRAECLPSE FOR SUMMONS, 1874--. 2 v. (1 not lettered, A).

Copies of praecipes for summons in assumpsit, trespass, and appeal cases, showing case number, names of plaintiff, defendant, and attorneys, and cause and date of summons. Arr. by date of summons. No index. Hdw. on pr. fm. 400 p., 13 $\frac{1}{2}$ x 8 $\frac{1}{2}$ x 1 $\frac{1}{2}$ - 16 $\frac{1}{2}$ x 11 x 1 $\frac{1}{2}$. 1 v. not lettered, 1874-1920, attic strm., 3rd fl; v. A, 1921--, cir. clk.'s off., 1st fl.

190. CONFESSED JUDGMENTS, TERM TIME AND VACATION, 1937--. 1 v. (6).

1833-74 in Circuit Court Record, entry 187; 1875-1936 in Circuit Court Record Common Law, entry 186.

Record of confessed judgments in term time and vacation, showing term date, case number, names of plaintiff, defendant, attorneys, and circuit clerk, amount of judgment, and dates of filing. Arr. by date of filing. Indexed alph. by name of defendant. Typed on pr. fm. 600 p. 18 x 1 $\frac{1}{4}$ x 3. Cir. clk.'s vlt.. 1st fl.

Transcripts
(See also entry 139)

191. RECORD OF JUSTICES' TRANSCRIPTS, 1871--. 2 v. (B, 1871-99; D, 1896--).

Copies of transcripts of judgments of justices of the peace court proceedings, showing names of court, plaintiff, and defendant, date, nature, and amount of judgment, costs, and court orders. Also contains Fee Book on Transcripts, 1925--, entry 204. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 450 p. 18 x 12 x 1 $\frac{1}{2}$. V. B, 1871-99, attic strm., 3rd fl.; v. D, 1896--, cir. clk.'s vlt., 1st fl.

Dockets

192. JUDGES' DOCKET, 1833--. 9 v. (1 not lettered, I-K, 5 not lettered). Missing: 1849-93.

Docket of criminal, common law, and chancery cases, including naturalization cases, 1860--, showing date, case number, names of plaintiff, defendant, and attorneys, type of action, court orders, and abstract of proceedings. Also contains Docket of Fines, 1879--, entry 200. Arr. by date of case. No index. Hdw. under pr. hdgs. 180 - 1400 p. $11\frac{1}{2}$ x $7\frac{1}{2}$ x 1 - 14 x 13 x 5. Cir. clk.'s vlt., 1st fl.

193. BAR DOCKET, 1851--. 38 v. (1 not lettered, C, D, 35 not lettered). Missing: 1856-93, 1910-16, 1928, 1929.

Bar docket of circuit court cases, showing names of plaintiff, defendant, and attorneys, type of case, and term date. Arr. by term date. No index. 1851-1909, hdw. under pr. hdgs.; 1917--, typed under pr. hdgs. 50 - 200 p. 5 x $3\frac{1}{2}$ x $\frac{1}{2}$ - 14 x $8\frac{1}{2}$ x 1. 1 v. not lettered, v. C, D, 1851-1909, attic strm., 3rd fl.; 35 v. not lettered, 1917--, cir. clk.'s off., 1st fl.

194. CLERK'S DOCKET, 1872--. 10 v. (2 not lettered, A, B, B, C, 4 not lettered). Missing: 1874-87.

Clerk's docket of circuit court cases, showing names of plaintiff, defendant, and attorneys, number and type of case, term date, and court orders. Arr. by term date. No index. Hdw. under pr. hdgs. 150 - 200 p. 12 x 10 x $1\frac{1}{2}$ - 10 x 12 x 2. 2 v. not lettered, v. A, B, B, C, 1872-1905, attic strm., 3rd fl.; 3 v. not lettered, 1906-34, cir. clk.'s off., 1st fl.; 1 v. not lettered, 1935--, cir. clk.'s vlt., 1st fl.

195. GENERAL DOCKET, 1881--. 4 v. (B-E).

Docket of all cases filed, including master in chancery cases, showing names of plaintiff, defendant, and attorneys, date, nature of action, and court orders. Arr. by date of filing. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. V. B, C, 1881-1908, attic strm., 3rd fl.; v. D, E, 1909--, cir. clk.'s vlt., 1st fl.

196. JUDGMENT AND EXECUTION DOCKET, 1881--. 6 v. (1-6).

Docket of judgments and executions, showing nature of action, names of plaintiff and defendant, date, amount, and name of person against whom judgment is entered, dates of execution and return, disposition, and book and page numbers of court record and fee book. Execution Docket, entry 198, and Judgment Docket, entry 199, formerly kept separately. Arr. by date of judgment. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

197. LIEN AND SATISFACTION DOCKET, 1887--. 1 v.

Docket of liens and satisfactions, showing name of principal, description of property, number, date, and amount of lien, and satisfaction. Arr. by date of lien. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 420 p. 18 x 12 x $1\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

198. EXECUTION DOCKET, 1833-80. 2 v. (1 not lettered, B). 1881-- in Judgment and Execution Docket, entry 196.

Docket of executions, showing date of issue, names of plaintiff and defendant, amount, name of person against whom judgment is entered, costs, date, and name of officer making returns. Also contains Judgment Docket, 1833-38, 1850-80, entry 199. Arr. by date of issue. 1833-54, no index: 1855-80, indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 300 - 350 p. 10 $\frac{1}{2}$ x 9 $\frac{1}{2}$ x 1 $\frac{1}{2}$ - 16 x 14 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

199. JUDGMENT DOCKET, 1839-49. 1 v. 1833-38, 1850-80 in Execution Docket, entry 198; 1881-- in Judgment and Execution Docket, entry 196.

Docket of judgments, showing court term, names of plaintiff and defendant, amount and name of person against whom judgment is entered, and sheriff's return. Binding, writing, and paper poor. Arr. alph. by name of principal. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 234 p. 13 x 7 $\frac{1}{2}$ x 1. Cir. clk.'s vlt., 1st fl.

200. DOCKET OF FINES, 1869-78. 1 v. 1879-- in Judges' Docket. entry 192. Docket of fines assessed in circuit court cases. showing name of defendant, nature of charge, term date, amount of fine, and book and page of record. Arr. by term date. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 1. Cir. clk.'s vlt.. 1st fl.

Fee Books
(See also entry 215)

201. FEE BOOK COMMON Law, 1855--. 13 v. (A, D, E, E-G, J, M, R, V, X, Z, 2). Missing: 1861-67, 1873-75. Title varies: Fee Book, v. A, D, E, E-G, J, 1855-79.

Register of fees collected in common law cases, including witness fees, and fees collected in criminal cases, 1855-1909. showing names of plaintiff, defendant, attorneys, and witnesses, term date, case number, and itemized amount of fees and expenditures. Also contains Fee Book Chancery, 1855-68, entry 202. Arr. by date of receipt. Indexed alph. by name of plaintiff: for sep. index, see entry 180. Hdw. under pr. hdgs. 550 p. 18 x 13 x 3. V. A, D, E, E-G, J, M, R, 1855-1904, attic strm, 3rd fl.; v. V, X, Z, 2, 1905--, cir. clk.'s vlt.. 1st fl.

202. FEE BOOK CHANCERY, 1869--. 7 v. (E, G, M, S, W, Y, 1). Missing: 1873, 1893-1902. 1855-68 in Fee Book Common Law, entry 201.

Lists of fees collected in chancery cases, including criminal cases, 1869-1909, and witness fees, showing names of plaintiff, defendant, attorneys, and witnesses, term date, case number, and itemized list of fees. Arr. by date of payment. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 500 p. 18 x 13 x 3. V. E, G, M, S, 1869-1916, attic strm., 3rd fl.; v. W, Y, 1, 1917--, cir. clk.'s vlt., 1st fl.

203. FEE BOOK CRIMINAL, 1910--. 1 v. (U).

Register of fees collected in criminal cases, including witness fees, showing names of defendant, witnesses, and attorneys, term date, number of case, and itemized amount of costs and fees. Arr. by date of payment. Indexed alph. by name of defendant; for sep. index, see entry 180. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

For prior records of fees collected in criminal cases, see entries 201, 202.

204. FEE BOOK ON TRANSCRIPTS, 1881-1924. 1 v. 1925-- in Record of Justices' Transcripts, entry 191.

Lists of fees collected in transcript cases, showing names of justice, plaintiff, and defendant, description and amount of fee, and nature of case. Arr. by date of entry. Indexed alph. by name of plaintiff or defendant. Hdw. under pr. hdgs. 500 p. 18 x 13 x 3. Attic strm., 3rd fl.

205. COLLECTION REGISTER, 1881-96. 1 v.

Register of circuit court costs, showing names of plaintiff and defendant, itemized costs due, term date, case number, and amount of payment. Arr. alph. by name of payer. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s off., 1st fl.

For other records of court fees, see entries 201, 202, 203.

Reports to Court

206. (MASTER'S AND STATE'S ATTORNEY'S REPORTS), 1879--. 14 bdl.

Reports of master in chancery and state's attorney, showing date and number of case, names of plaintiff, defendant, and master or state's attorney, amount of fees, and court orders; includes copies of state's attorney's reports to county treasurer of fees, fines and forfeitures collected. Arr. by date of report. No index. Hdw. on pr. fm. 10 x 8 x 3. 11 bdl., 1879-1915, attic strm., 3rd fl.; 3 bdl., 1916--, cir. clk.'s vlt., 1st fl.

207. STATE'S ATTORNEY'S REPORT RECORD, 1873--. 1 v. (A).

Record of state's attorney's reports, showing case number, names of court and defendant, nature of charge, amount of fees, fines, and forfeitures, and remarks. Arr. by date of report. Indexed alph. by name of state's attorney. Hdw. under pr. hdgs. 288 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

208. OFFICERS' REPORT RECORD, 1890-96. 1 v.

Copies of state's attorney's reports, showing names of court and defendant, date, nature of crime, amount of fees, fines, and forfeitures collected, and receipt of county treasurer. Arr. by date of report. No index. Hdw. on pr. fm. 600 p. 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

For prior and subsequent reports, see entry 207.

Circuit Court - Jury Records;
Bonds; Naturalization

Jury Records
(See also entries 10, 21, 128, 181, 239)

209. REGISTER OF PETIT (and Grand) JURORS, 1836--. 3 v. (A, 1 not lettered, C).

Register of grand and petit jurors, showing term date, names of juror and township, numbers of days served and miles traveled, and amount of fee. Arr. by certificate no. No index. Hdw. under pr. hdgs. 200 - 300 p. 14 x 12 x 1 - 16 1/2 x 14 x 1. V. A, 1836-78, attic strm., 3rd fl.; 1 v. not lettered, v. C. 1879--, cir. clk.'s vlt., 1st fl.

210. JURY CERTIFICATES, 1925--. 2 v.

Jury certificate stubs showing term date, name of juror, number of days served and miles traveled, and amount of fee. Arr. by certificate no. No index. Hdw. on pr. fm. 200 p. 17 x 12 x 1 1/2. 1 v., 1925-30, attic strm., 3rd fl.; 1 v., 1931--, cir. clk.'s vlt., 1st fl.

Bonds

211. BAIL BOND RECORD, 1919. 1 v.

Copies of bail bonds and schedules of indictments, showing names of defendant and bondsman, amount of bond, and date of appearance. Arr. by date of appearance. Indexed alph. by name of defendant. Typed on pr. fm. 420 p. 18 x 12 x 1 1/2. Cir. clk.'s vlt., 1st fl.

For other records of bail bonds, see entries 184, 185.

Naturalization
(See also entries 145, 192)

212. NATURALIZATION RECORD, INTENTION, 1859--. 5 v.

Copies of declarations of intention, showing name, age, occupation, residence, nationality, and birthplace of applicant, dates of arrival and filing, and applicant's renunciation of allegiance to any foreign nation. Also contains Naturalization Record, Minor (Intentions, Oaths, and Final Papers), 1859-69, 1889--, entry 214. Arr. by date of filing. Indexed alph. by name of applicant. Hdw. on pr. fm. 120 - 418 p. 16 x 10 x 1 - 18 x 12 x 1 1/2. Cir. clk.'s off., 1st fl.

213. NATURALIZATION RECORD (Final), 1859--. 3 v.

Record of final naturalizations, showing name of applicant, court order granting or refusing citizenship, date, signatures of circuit judge and clerk, and oath of allegiance. Arr. by date of order. Indexed alph. by name of applicant. Hdw. on pr. fm. 100 - 420 p. 14 x 8 x 1 - 18 x 12 x 1 1/2. Cir. clk.'s vlt., 1st fl.

214. NATURALIZATION RECORD, MINOR (Intentions), 1870-88. 1 v. (B).

1859-69, 1889-- in Naturalization Record, Intention, entry 212.

Copies of declarations of intentions of alien minors, showing date, number of years' residence in the United States, names of minor and native country, and renunciation of allegiance to foreign sovereigns. Arr. by date of intention. Indexed alph. by name of applicant. Hdw. on pr. fm. 420 p. 18 x 12 x 1 1/2. Cir. clk.'s vlt., 1st fl.

Circuit Court - Receipts
and Expenditures

Receipts and Expenditures

215. REGISTER OF FEES, 1868--- 11 v. (1 not numbered, 2, 4-12).
Title varies: Receipts and Expenditures, 1 v. not numbered,
v. 2, 1868-95.

Register of fees received for recording and court costs, including circuit clerk's expenditures, 1868-95, showing date, amount, and purpose of payment, and name of payee or payer, totals, recapitulation, and remarks. Arr. by date of payment. No index. Hdw. under pr. hdgs. 325 p. 18 x 13 x 2. 1 v. not numbered, v. 2, 4-8, attic strm., 3rd fl.; v. 9-12, cir. clk.'s vlt., 1st fl.

VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Effingham County from the organization of the county, in 1833, to the present.¹ The term of his office, originally set at two years,² is now four years.³ In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for reelection to that office until four years after the expiration of his term of office.⁴ His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.⁵ Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.⁶ One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.⁷ The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.⁸ To assist him in this administration, he appoints a superintendent of the county jail for whose conduct he is responsible, and whom he may remove at pleasure.⁹

Essentially without change for over one hundred years, the principal duties of the sheriff are the following:

1. Constitution of 1818, Art. III, sec. 11; Constitution of 1848, Art. VII, sec. 7; Constitution of 1870, Art. X, sec. 8; second amendment, November 22, 1880, to the Constitution of 1870, Art. X, sec. 8; also L.1819, p. 109,110; R.S.1874, p. 989.
2. Constitution of 1818, Art. III, sec. 11; Constitution of 1848, Art. VII, sec. 7.
3. Constitution of 1870, Art. X, sec. 8.
4. Ibid., as amended November, 1880.
5. R.S.1874, p. 989. Cf. R.L.1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
6. R.S.1845, p. 514; R.S.1874, p. 989.
7. R.L.1827, p. 373; R.S.1845, p. 515; L.1869, p. 399; Constitution of 1870, Art. X, sec. 9.
8. L.1819, p. 111,112; R.L.1827, p. 247-50; L.1831, p. 103,104,106; R.L.1833, p. 574,575; L.1845, p. 8,10,19; R.S.1845, p. 133,134,515-17; R.S.1874, p. 616,989-91; L.1901, p. 137,138; L.1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.
9. L.1923, p. 423.

Sheriff

1. To act as conservator of the peace, with power to arrest offenders on view.¹
2. To attend, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.²
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.³
4. To sell real or personal property by virtue of execution or other process.⁴
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.⁵

In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in Effingham County:

1. Receipts of deliveries of prisoners in changes of venue.⁶
2. Copies of reports to the county court and circuit court.⁷
3. Reports of pawnbrokers on loans and articles pawned.⁸
4. Data of identification of criminals and stolen property.⁹

The following records may be kept and do appear:

1. Register of prisoners.¹⁰
2. "Book of Accounts," including records of fees and disbursements.¹¹
3. Dockets of executions.
4. Process docket.

1. R.L.1827, p. 372; R.S.1845, p. 515; R.S.1874, p. 990.
2. Ibid.
3. Ibid.
4. R.L.1827, p. 334; L.1838-39, p. 14-18,20; R.S.1845, p. 302,306,307; L.1871-72, p. 505,507; R.S.1874, p. 622,623,627-29.
5. L.1931, p. 465.
6. R.S.1874, p. 1096.
7. Ibid., p. 617; L.1923, p. 424; L.1933, p. 678.
8. L.1909, p. 301.
9. L.1931, p. 465.
10. R.S.1874, p. 617; L.1923, p. 424.
11. L.1871-72, p. 450,451; L.1873-74, p. 104,105.

Sheriff - Process; Jail
Records; Fees, Receipts
and Expenditures

Process

216. SHERIFF'S EXECUTION DOCKET, 1833--. 7 v. (3 not lettered, A, B,
2 not lettered).

Sheriff's docket of executions and other process, showing names of plaintiff, defendant, and sheriff, case number, dates of receipts, service, and return, amounts of fees earned and received, and dates and amounts of judgment, costs, and satisfaction. Arr. by date of execution. No index. Hdw. under pr. hdgs. 420 p. 16 x 11 x 1½. 2 v. not lettered, 1833-58, cir. clk.'s vlt., 1st fl.; 2 v. not lettered, 1859-72, 1921-30, co. clk.'s vlt., 1st fl.; v. A, E, 1873-1920, attic strm., 3rd fl.; 1 v. not lettered, 1931--, sh.'s off., 1st fl.

Jail Records

217. JAIL RECORD, 1872--. 3 v. Missing: 1900-1902. Title varies: Jail Register, 1 v., 1872-99.

Register of inmates in county jail, showing name and description of prisoner, nature of charge, date of commitment, itemized list and disposal of personal belongings, and date and manner of discharge. Arr. by date of commitment. No index. Hdw. under pr. hdgs. 240 p. 18 x 13 x 2. 1 v., 1872-99, attic strm., 3rd fl.; 2 v., 1903--, off. jail, 1st fl.

Fees, Receipts and Expenditures

218. SHERIFF'S REGISTER OF FEES, 1876--. 9 v. (6 not numbered, 1876-1930; 5-7, 1923--). Title varies: Register of Fees and Expenditures, 5 v. not numbered, 1876-1916.

Register of receipts and expenditures, showing date, names of payer and payee, amount and purpose of receipts and expenditures, and remarks. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. 5 v. not numbered, 1876-1916, attic strm., 3rd fl.; 1 v. not numbered, v. 5, 1917-30, co. clk.'s vlt., 1st fl.; v. 6, 7, 1931--, sh.'s off., 1st fl.

VIII. CORONER

The coroner's office in Effingham County has continued in existence from the organization of the county, in 1833, to the present.¹ The coroner is elected by the county electorate for a four-year term.² After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.³ The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.⁴ The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the other duties of the latter when the office is vacant.⁵

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the jury, the coroner is allowed to fill such vacancy.⁶

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.⁷ In his own office, the coroner files and preserves the

1. Constitution of 1818, Art. III, sec. 11; L.1849, Second Sess., p. 7; Constitution of 1870, Art. X, sec. 8.
2. The office is constitutional and elective (Constitution of 1818, Art. III, sec. 11; Constitution of 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 22, 1880, to Constitution of 1870, Art. X, sec. 8).
3. R.S.1845, p. 514; R.S.1874, p. 281.
4. R.S.1874, p. 281.
5. L.1819, p. 111,160; L.1821, p. 20-23; L.1825, p. 63,64; R.L.1827, p. 246-50, 372-75; R.S.1845, p. 515,517; R.S.1874, p. 281,282.
6. L.1821, p. 22-24; R.S.1845, p. 517,518; R.S.1874, p. 282-84; L.1879, p. 82; L.1907, p. 213; L.1919, p. 403,404; L.1931, p. 388,399.
7. L.1821, p. 24,25; R.S.1845, p. 518; R.S.1874, p. 283.

record of such testimony.¹ The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.²

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and their compensation is determined by the county board of supervisors. The bond or securities of these assistants are taken by the coroner, and the oath to which each subscribes is filed in the county clerk's office.³

219. CORONER'S INQUESTS, 1871--. 2 cartons, 12 f.b. (818, 819, 824-833).

Coroner's inquest papers showing names of deceased, coroner, jurors, and witnesses, date, place, and cause of death, sex, age, residence, and occupation of deceased, date and verdict of coroner's jury, list and disposition of personal effects, and disposition of body. Arr. by date of inquest. No index. 1871-1918, hdw.; 1919--, typed. Cartons 14 x 12 x 18; f.b. 6 x 4 x 10. 1 carton, 1871-1906, attic strm., 3rd fl.; f.b. 818, 819, 824-833, 1 carton, 1907--, cir. clk.'s vlt., 1st fl.

For other inquest papers, 1855-77, see entry 88[iv].

220. CORONER'S RECORDS, 1871--. 7 v. (A, 1-6).

Record of coroner's inquests, showing date, names of deceased, coroner, jurors, and witnesses, minutes of inquest, verdict of jury, description of deceased, and inventory and disposition of personal effects. Arr. by date of inquest. Indexed alph. by name of deceased. 1871-1918, hdw.; 1919--, typed. 450 p. 18 x 13 x 3. V. A, 1-3, 1871-1923, attic strm., 3rd fl.; v. 4-6, 1924--, cir. clk.'s vlt., 1st fl.

1. L.1869, p. 104,105; R.S.1874, p. 283; L.1907, p. 213,214; L.1919, p. 293, 294.
2. L.1821, p. 25,26; R.S.1874, p. 283.
3. Constitution of 1870, Art. X, sec. 9; L.1881, p. 63.

IX. STATE'S ATTORNEY

In Effingham County, since its organization in 1833, the state's attorney has commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.¹ Legislation enacted in 1835, provided that the state's attorney be appointed by the General Assembly.² This provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.³ At this time his services also were expanded to include the newly created county court. Finally, the present constitution made the office elective in and for each county.⁴ Bond in the sum of \$5,000 has been required since 1872.

From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.⁵ In 1827 his appointment was set at a four-year term;⁶ in 1835 his term was reduced to two years.⁷ Then, in 1849, the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852.⁸

In Effingham County the state's attorney receives an annual salary of \$2,375, with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.¹⁰

1. R.L.1827, p. 79,80; L.1835, p. 44; R.S.1845, p. 76; R.S.1874, p. 173-74.
2. L.1835, p. 44. From 1827 to 1835 the state's attorney was appointed by the Governor (R.L.1827, p. 79,80).
3. Constitution of 1848, Art. V, sec. 21.
4. Constitution of 1870, Art. VI, sec. 22; R.S.1874, p. 172.
5. L.1871-72, p. 189.
6. R.L.1833, p. 98; L.1835, p. 44; Constitution of 1848, Art. V, sec. 28; Constitution of 1870, Art. VI, sec. 22; R.S.1874, p. 172.
7. R.L.1827, p. 79,80.
8. L.1835, p. 44.
9. Constitution of 1848, Art. V, sec. 21; Constitution of 1870, Art. VI, sec. 22.
10. L.1871-72, p. 422; L.1873-74, p. 104,105; L.1909, p. 231-33; L.1929, p. 474-76; L.1937, p. 607.

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil and criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court, to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.
11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹

1. R.S.1845, p. 76; R.S.1874, p. 172-74.

12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit court on the collection of these moneys.¹

For state's attorney's reports to circuit court, see entries 206-208.

1. L.1909, p. 406; L.1912, Third Sp. Sess., p. 88; L.1929, p. 475.

X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in Effingham County, is responsible for the assessment of property upon which the township, district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.¹ Many statutory provisions have regulated this function in Effingham County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.²

Property assessments in Effingham County were first made by the county treasurer, an appointee of the county commissioners' court.³ The treasurer continued to act in this capacity until 1839, when the legislature provided for the appointment by the county commissioners' court of district assessors.⁴ The duty of property assessment reverted to the county treasurer again in 1844⁵ and continued to be vested in that office until 1861 when township organization was instituted in this county,⁶ and assessments were made by township assessors, elected one in each township annually.⁷

Between 1849 and 1898, the assessing officers in Effingham County received their assessment lists from and reported assessments to, the county clerk.⁸ In the latter year, the legislature provided that the county treasurer should be ex-officio supervisor of assessments.⁹ From that date until the present, the township assessors have worked under the direction

1. L.1871-72, p. 20-22; L.1879, p. 243; L.1881, p. 134; L.1891, p. 187; L.1898, p. 37, 40, 44; L.1903, p. 295, 296; L.1923, p. 491, 492, 504, 505; L.1927, p. 713, 714; L.1928, First Sp. Sess., p. 106; L.1931-32, First Sp. Sess., p. 66.
2. L.1819, p. 313-19; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.
3. R.L.1827, p. 330.
4. L.1839, p. 4.
5. L.1843, p. 231, 237.
6. Effingham County adopted township organization in 1860, but the change did not become effective until 1861.
7. L.1851, p. 38, 54-57; L.1853, p. 14, 15; L.1855, p. 35, 37; L.1871-72, p. 20-24.
8. L.1849, p. 121, 128; L.1849, Second Sess., p. 38; L.1853, p. 14, 17, 47, 49, 50; L.1871-72, p. 19, 20, 22, 23.
9. L.1898, p. 36, 37.

of, and reported the assessment of property to, the county treasurer, acting in this ex-officio capacity. Every assessor is bonded in the sum of \$500. Bond for the supervisor of assessments is \$2,000 or such larger sum as the county board may determine.¹

For other taxation records, see entries 22-55, 85[iii,vii,viii,x], 225-238.

221. REAL ESTATE AND PERSONAL PROPERTY SCHEDULES, 1915--. 150 bdl. Real estate and personal property schedules showing name and address of owner, location of property, assessed value, and amounts of tax, interest, and installments. Arr. by date of schedule. No index. Hdw. on pr. fm. 6 x 3 x 3. Treas.'s vlt., 1st fl.

222. RAILROAD TAX BOOK, 1895--. 4 v. (O-F). Schedules of railroad taxes, showing name of railroad company, main, secondary and side track mileage, valuation, tax spread, and total tax. Also contains Telephone and Telegraph Tax Book, 1895-1911, entry 223. Arr. alph. by name of railroad. No index. Hdw. under pr. hdgs. 150 p. 15 x 14 x 2. V. C, D, 1895-1913, attic strm., 3rd fl.; v. E, F, 1914--, co. clk.'s vlt., 1st fl.

223. TELEPHONE AND TELEGRAPH TAX BOOK, 1912--. 2 v. (2, 3). 1895-1911 in Railroad Tax Book, entry 222. Schedules of telephone and telegraph tax, showing names of company and township, assessed and equalized values, tax spread, dates, and amount of tax. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 160 p. 15 x 14 x 2. V. 2, 1912-24, co. clk.'s vlt., 1st fl.; v. 3, 1925--, treas.'s vlt., 1st fl.

224. ASSESSOR'S TRANSCRIPTS OF ORIGINAL LAND ENTRIES, 1850-51. 1 v. Assessor's transcripts of original land entries, showing location and legal description of property, name of purchaser, and date and amount of payment. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. Attic strm., 3rd fl.

1, L.1898, p. 38,39; L.1923, p. 493,494; L.1927, p. 743, 744.

XI. BOARD OF REVIEW

The authority to assess, equalize, and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.¹ Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.² In 1849, when the county court succeeded the county commissioners' court in Effingham County, appeals were made to that body.³ When township organization was instituted in 1861⁴ this jurisdiction was given to the town board composed of the township supervisor, clerk, and assessor.⁵ The board of supervisors in their annual meeting examined the assessment rolls in the several towns to ascertain whether the valuations in one town bore just relation to the valuation in all other towns in the county, and was empowered to increase or diminish the aggregate valuation of real estate in any town accordingly. They could make whatever alterations deemed necessary in the description of the lands of nonresidents, and were required to assess the value of any lands omitted by the assessor.⁶ In 1872 the duties of the board of supervisors with regard to assessments were:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation in one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessment.⁷

In 1898 this authority was transferred to the newly created board of review, composed of the chairman of the county board who became ex-officio chairman of the board of review, the county clerk, and one citizen appointed by the county judge.⁸ Since 1923 the board has consisted of the chairman of the county board as ex-officio chairman of the board of review, and two citizens appointed alternately for two-year terms⁹ by the county judge. The members of the board select their own clerk.

1. L.1898, p. 46-49; L.1915, p. 566-70; L.1919, p. 727; L.1923, p. 496-502; L.1930, First Sp. Sess., p. 85-90; L.1931-32, First Sp. Sess., p. 71, 75-78; L.1935, p. 1163-66.
2. L.1839, p. 7; L.1843, p. 237; L.1845, p. 8; R.S.1845, p. 441.
3. L.1849, p. 65.
4. Effingham County adopted township organization in 1860, but the change did not become effective until 1861.
5. L.1851, p. 56; L.1871-72, p. 21, 22, 24, 25.
6. L.1851, p. 57, 58; L.1871-72, p. 24, 25.
7. L.1871-72, p. 24, 25.
8. L.1898, p. 46.
9. L.1923, p. 496, 497; L.1931-32, First Sp. Sess., p. 71, 72.

Today, the board of review in Effingham County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed, to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, and to hear and determine the application of any person assessed on property claimed to be exempt from taxation, which application if successful must be approved by the tax commission to be final. If such application is not approved the owner may have the question of exemption determined by judgment or decree of court, and the board of review may correct any error or mistake (other than an error of judgment as to valuation), with the approval of the assessing authority, any time before judgment of the court.¹

For other taxation records, see entries 22-55, 85[iii, vii, x], 221-224, 229-238.

225. TAX OBJECTIONS, 1932--. 1 f.b. (306).

Land owners' objections to special tax assessments, showing names of owner and attorney, legal description of property, amount of assessment, date and nature of objection, and date set for board of review hearing. Arr. by date of objection. No index. Typed and typed on pr. fm. 14 x 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

226. RAILROAD TAX OBJECTIONS, 1933--. 1 f.b. (531). 1890-1932 in (County Clerk's Miscellaneous Files), entry 85.

Objections of tax levies by railroad companies, showing name of company, legal description and location of property, amounts of tax and abatement requested, nature of objection, and date of filing. Arr. by date of filing. No index. Typed on pr. fm. 14 x 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

227. BOARD OF REVIEW RECORD, 1899--. 3 v. (1-3).

Record of minutes of proceedings of board of review, showing date, names of board members and complainant, cause for complaint, legal description of property, and action of board. Arr. by date of board meeting. No index. Hdw. 400 - 700 p. 16 x 12 x 2 $\frac{1}{2}$ - 18 x 13 x 4. Co. clk.'s vlt., 1st fl.

228. COMPLAINT DOCKET BOARD OF REVIEW, 1899--. 2 v. (1, 2). Title varies: Complaint Docket, v. 1, 1899-1935.

Docket of tax complaints, showing date and number of complaint, name of complainant, legal description of property, assessed and alleged values, cause of complaint, and findings and order of board. Arr. by complaint no. No index. Hdw. under pr. hdgs. 240 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

1. L.1898, p. 46-49; L.1915, p. 566-70; L.1919, p. 727; L.1923, p. 496-502; L.1930, First Sp. Sess., p. 85-90; L.1931-32, First Sp. Sess., p. 70, 71, 75-78; L.1935, p. 1163-66; L.1939, p. 929, 930.

XII. COLLECTOR

Tax collections in Effingham County were first made by the sheriff acting as *ex-officio* county collector.¹ With the exception of five years, 1839 to 1844, when there existed a separate office of county collector filled by appointment by the county commissioners' court,² the sheriff continued to act in this capacity until 1861; in that year township organization was instituted in this county,³ and tax collections became the joint responsibility of the townships and the county, with the county treasurer acting as *ex-officio* county collector.⁴

Under this plan, town collectors, elected one in each township,⁵ made collections of resident property taxes,⁶ while nonresident and delinquent taxes were collected by the county treasurer.⁷ By the terms of an act of 1855, the town collectors were required to return their tax lists or books to the county collector who delivered them to the county clerk.⁸ This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each town collector, and the amount collected by himself.⁹

The collection procedure in Effingham County was altered in 1917 when the legislature provided for the abolishment of the office of town collector in counties with fewer than one hundred thousand inhabitants, the county collector to be *ex-officio* town collector in such counties.¹⁰ As Effingham County never attained this population minimum,¹¹ the county

1. R.L.1827, p. 370,374.

2. L.1838-39, p. 7.

3. L.1843, p. 234; L.1853, p. 99. Effingham County adopted township organization in 1860, but the change did not become effective until 1861.

4. L.1851, p. 38,59-64; L.1853, p. 67.

5. L.1851, p. 38.

6. Ibid., p. 59.

7. Ibid., p. 53.

8. L.1855, p. 37.

9. L.1871-72, p. 56,57; L.1873-74, p. 56; L.1930, Sp. Sess., p. 66,67; L.1931, p. 756; L.1931-32, First Sp. Sess., p. 112; L.1933, p. 873, 921; L.1933-34, Third Sp. Sess., p. 220; L.1935, p. 1158,1213.

10. L.1917, p. 793.

11. The population of Effingham County was 20,055 in 1910; 19,556 in 1920; and 19,013 in 1930 (Population Bulletin, p. 8).

collector has since 1917 made collections for the townships as well as for the county.¹

The county collector is bonded in an amount determined by the county board in addition to that bond required of him as county treasurer.² Under statutory provisions, he collects taxes for the state, county, and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.³ He also settles annually with the county board.⁴ He prepares an annual list of delinquent property and files it with the county clerk,⁵ advertises his intention of applying for judgment for sale of delinquent lands and lots,⁶ and is required to attend, in person or by deputy, all tax sales resulting from this action.⁷ The county clerk, in person or by deputy, is also required to attend all tax sales.⁸ At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.⁹

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.¹⁰ The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certification of the collector's settlement with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

For other taxation records, see entries 22-55, 85[iii,vii,x], 221-228.

Collection

229. PERSONAL PROPERTY TAX RETURNS, 1935--. 2 cabinets. Personal property tax returns, showing date, name, address, and occupation of taxpayer, location and description of property, valuation, tax spread, and amount of tax. Arr. by date of return. No index. Typed on pr. fm. 30 x 42 x 12. Treas.'s vlt., 1st fl.

1. L.1925, p. 605; L.1929, p. 774,775; L.1931, p. 905-8; L.1933, p. 1115, 1116.
2. L.1871-72, p. 36; L.1931, p. 748; L.1931-32, First Sp. Sess., p. 85, 86; L.1933-34, Third Sp. Sess., p. 225,226.
3. L.1871-72, p. 56-59; L.1933, p. 922; L.1935, p. 1156,1213; L.1935-36, Fourth Sp. Sess., p. 68,69.
4. L.1871-72, p. 55; L.1935, p. 1155,1156.
5. L.1898, p. 51; L.1931, p. 759.
6. L.1871-72, p. 44; L.1937, p. 1010.
7. L.1871-72, p. 48; L.1930, First Sp. Sess., p. 64.
8. L.1871-72, p. 48.
9. Ibid.; L.1933, p. 886.
10. L.1917, p. 664,665; L.1930, First Sp. Sess., p. 60-62; L.1935, p. 1149-58.

230. RECEIPTS FOR DISTRIBUTION OF TAXES, 1923--. 1 v.
Duplicate receipts issued for tax money distributed by county collector, showing date, amounts, and name of recipient. Arr. by date of receipt. No index. Hdw. on pr. fm. 400 p. 17 x 14 x 2. Treas.'s vlt., 1st fl.

231. DUPLICATE TAX RECEIPTS, 1936--. 16 bdl., 29 f.d.
Duplicate tax receipts showing name of taxpayer, legal description of property, amount, and date of payment. Arr. by date of payment. No index. Hdw. on pr. fm. Bdl. 5 x 9 x 6; f.d. 6 x 13 x 24. Treas.'s vlt., 1st fl.

232. DAY BOOK, 1851--. 1 v.
Treasurer's daily account of tax receipts, showing date and amount received each day, and grand total of receipts for each year. Also contains transcripts of lists of delinquent taxes from error and insolvency cases. Arr. by date of receipt. No index. Hdw. 200 p. 12 x 8 x 1. Treas.'s vlt., 1st fl.

233. COLLECTOR'S ACCOUNTS WITH COUNTY FUNDS, 1871-85. 2 v. (B, 1 not lettered). 1886-- in Settlement Record, entry 236.
Collector's accounts of taxes, showing amounts of current and delinquent taxes, penalties, and interest collected, tax spread, date, and total collections. Arr. by date of collection. No index. Hdw. under pr. hdgs. 170 - 214 p. 16 x 12 x 1 1/2 - 18 x 13 x 2. V. B, 1871-82, attic strm., 3rd fl.; 1 v. not lettered, 1883-85, treas.'s vlt., 1st fl.

234. DAILY STATEMENT OF COLLECTIONS (Journal), 1930--. 1 v.
Daily memorandum of tax collections, showing date, amount, and name of payer, tax spread, and total amount of collections. Arr. by date of payment. No index. Hdw. 50 p. 16 x 14 x 1/2. Treas.'s vlt., 1st fl.

235. RECEIPTS BY COUNTY COLLECTOR, 1931--. 2 v.
Register of taxes collected by various banks in Effingham County, showing names of bank and collector, date and amount collected, and total amount of tax collected. Arr. by date of collection. No index. Hdw. under pr. hdgs. 200 p. 16 x 11 x 1. Treas.'s vlt., 1st fl.

Settlement

236. SETTLEMENT RECORD, 1880--. 7 v. (B-F, 2, 1 not labeled). Missing: 1903-20. Title varies: Ledger, v. B-F, 1880-1902, 2, 1921-35.
County collector's accounts of taxes received from township collectors, showing names of collector and township, date and amount of current and delinquent taxes collected, tax spread, and total tax collections. Also contains Collector's Accounts with County Funds, 1886--, entry 233, and Treasurer's (Teachers') Institute Record, 1883-88, entry 255. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 300 - 350 p. 16 x 14 x 2 - 18 x 14 x 3. V. B-F, 1880-1902, attic strm., 3rd fl.; v. 2, 1 not labeled, 1921--, treas.'s vlt., 1st fl.

237. ABATEMENT RECORD, 1909--. 2 v. (1, 2).

Record of abatements, showing name of person assessed, legal description, valuation, tax spread, total tax due, and cause of delinquency. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 148 p. 18 x 14 x 2 $\frac{1}{2}$. Treas.'s vlt., 1st fl.

238. REFUNDING FUND, TOWN LOTS AND PERSONAL PROPERTY, 1875-77. 1 v. Lists of tax refunds on real and personal property, showing name of tax-payer, description of property, amounts collected and refunded, and dates. Arr. by date of refund. No index. Hdw. under pr. hdgs. 500 p. 16 x 12 x 4. Treas.'s vlt., 1st fl.

XIII. TREASURER

In Effingham County the treasurer was first appointed by the county commissioners' court.¹ From 1837 to the present the treasurer has been elected by the people of the county,² and is commissioned by the Governor for a four-year term.³ In 1880, by amendment to the Constitution of 1870, it was provided that no treasurer be eligible for reelection to the office until four years after the expiration of his term of office.⁴ The penal sum of the treasurer's bond and his securities are determined by the county board.⁵ Upon request of the treasurer, the board designates the bank in which the public funds are to be deposited.

In the performance of his duties, the treasurer receives the revenue of the county, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.⁶ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semi-public authorities in the process of transacting business with him; and, finally, a large number of records arise from the requirement for collectors of taxes to settle their accounts with the treasurer.⁷

The treasurer acts as ex-officio treasurer of the special drainage district.⁸

1. R.L.1827, p. 329; R.L.1833, p. 514-16.
2. L.1837, p. 49,274; L.1846; p. 28; R.S.1845, p. 137; L.1851, p. 144; Constitution of 1870, Art. X, sec. 8.
3. The term was set at four years in 1837 (L.1837, p. 274); it was later reduced to two years (L.1845, p. 28; L.1851, p. 144). The office was made constitutional in 1870 without change of term (Constitution of 1870, Art. X, sec. 8). Then in 1880, the term was lengthened to four years (Constitution of 1870, Art. X, sec. 8, as amended November, 1880).
4. Constitution of 1870, Art. X, sec. 8, as amended November, 1880.
5. R.L.1827, p. 329; R.S.1874, p. 323. The bond is required to be filed in the office of the county clerk.
6. L.1837, p. 582,583; L.1843, p. 151; R.S.1845, p. 137-39; L.1861, p. 239,240; R.S.1874, p. 323,324.
7. R.L.1827, p. 330-33; L.1839, p. 8-10; L.1845, p. 11; L.1895, p. 304; L.1913, p. 516; L.1833, p. 898.
8. L.1886, p. 78,104.

Treasurer - General Ac-
counts; Special Accounts

General Accounts
(See also entry 4)

Registers

239. APPROPRIATION RECORD, 1925--. 2 v. (3, 1 not numbered). Title varies: Register of County Orders, v. 3, 1925-33. Register of county orders, including jury certificates, witness fee certificates, mothers' pension orders, and orders for court costs and fees, showing name of fund, date, amount, purpose, and number of order, and amount available. Arr. by date of order. No index. Hdw. under pr. hdgs. 400 - 475 p. 11 1/2 x 15 x 2 - 18 x 13 x 2 1/2. Treas.'s vlt., 1st fl.

Cash Books

240. TREASURER'S CASH BOOK, 1867--. 2 v. (1 not numbered, 1). Missing: 1873-78. County treasurer's account of receipts and disbursements, showing date, amount, and purpose of receipt or disbursement, accounts credited or debited, name of payer or payee, and balance available. Arr. by date of receipt or disbursement. No index. Hdw. under pr. hdgs. 250 p. 18 x 13 x 3. Treas.'s vlt., 1st fl.

Special Accounts
(See also entry 4)

School (See also entries
247[v], 252-257)

241. NON-HIGH SCHOOL RECORD, 1918--. 1 v. (1). County treasurer's account of non-high school funds, showing names of payee, payer, and township, number and amount of order, and date of payment. Arr. by date of receipt. No index. Hdw. on pr. fm. 160 p. 16 x 12 x 2. Treas.'s vlt., 1st fl.

Highway

242. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1932--. 2 v. Lists of allotments from motor fuel tax fund, showing dates, estimate of cost, route, receipt, claim, and section numbers, amounts requested by resolution of county board, date, name of person allotted to, amounts of receipts and disbursements, and balance available. Arr. by date of allotment. No index. Hdw. under pr. hdgs. 50 p. 10 x 12 x 1/2. Treas.'s vlt., 1st fl.

243. STATE AID ORDERS, 1925--. 2 v. (2, 3). Register of state-aid road orders, showing balance on hand, number, amount, purpose, and date of order, and names of township, recipient, and supervisor issuing order. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 298 p. 16 x 12 x 2. Treas.'s vlt., 1st fl.

244. MOTOR FUEL TAX, 1931--. 1 v. (1).

Register of motor fuel tax warrants, showing name and amount of fund, date, amount, number, and purpose of order, and name of recipient. Arr. by date of order. No index. Hdw. 300 p. 16 1/2 x 11 x 2. Treas.'s vlt., 1st fl.

245. COUNTY HIGHWAY WARRANT REGISTER, 1932--. 2 v.

Register of county highway warrants, showing claim number, date, number, amount, and purpose of warrant, and name of recipient. Arr. by warrant no. No index. Hdw. on pr. fm. 400 p. 14 1/2 x 12 x 2. 1 v., 1932-34, co. clk.'s vlt., 1st fl.; 1 v., 1935--, treas.'s vlt., 1st fl.

Dog License

246. DOG LICENSE FUND RECORD, 1920--. 1 v. (1).

Record of dog license fund, showing amounts of appropriation received and claimed, number of sheep killed, appraised value, date, and names of claimants and appraiser. Arr. by date of payment. No index. Hdw. on pr. fm. 160 p. 16 x 12 x 1 1/2. Treas.'s vlt., 1st fl.

Reports

247. COUNTY TREASURER'S REGISTER OF COUNTY CLERK'S REPORTS, 1902--. 1 v. (1).

Treasurer's register of reports from county clerk, including:

- i. Register of birth and death reports, 1902--, showing name of registrar, number of births and deaths reported, and date and amount of payment.
- ii. Register of bank deposits, 1902--, showing name of bank, and date and amount deposited.
- iii. Register of inheritance taxes collected, 1903--, showing names of estate and heirs, value of property, and date and amount of tax collected.
- iv. County treasurer's trust fund accounts, 1903--, showing names of estate and heirs, date, amount in trust and withdrawn by heirs, and balance available.
- v. Register of school tax distributions, 1906--, showing date, school district number, name of school, and amount of tax allocated.

Also contains Treasurer's (Teachers') Institute Record, 1902-25, entry 255. Arr. by date of report. No index. Hdw. under pr. hdgs. 300 p. 16 x 11 x 2. Treas.'s vlt., 1st fl.

248. BIENNIAL REPORT OF EFFINGHAM COUNTY, 1934--. 1 v.

Certified accountant's biennial reports of audits of county treasurer's office, showing receipts and disbursements of all funds, and balance available in each fund. Arr. by date of report. No index. Typed. 20 p. 11 x 9 x 1/2. Treas.'s vlt., 1st fl.

Treasurer - Bond Issues;
Receipts, Checks and Bank
Statements

Bond Issues

249. RECORD OF BONDS AND ORDERS, 1919--. 1 v. (1).
Register of cash received from county bond issues, showing date, number, and amount of bonds, names of county funds, amount allocated to each fund, allocation order number, and balance available. Arr. by date of bond. No index. Hdw. on pr. fm. 458 p. 18 x 13 x 2. Treas.'s vlt., 1st fl.

Receipts, Checks and Bank Statements

250. CANCELLED CHECKS, 1936--. 4 bdl.
Cancelled checks showing names of bank, payee, treasurer, and fund, date, number, amount, and purpose of check, and date of cancellation. Arr. by check no. No index. Hdw. on pr. fm. 8 x 2 1/2 x 1 1/2. Treas.'s vlt., 1st fl.

251. DEPOSIT SLIPS, 1937--. 28 v.
Stub record of bank deposits, showing name of bank, date and amount of deposit, and cashier's initials. Arr. by date of deposit. No index. Hdw. under pr. hdgs. 50 p. 8 x 3 x 1/2. Treas.'s vlt., 1st fl.

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Effingham County was the county school commissioner.¹ The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by its clerk in a well-bound book kept for that purpose.² The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.³ Beginning with the year 1841, the school commissioner was elected for a two-year term.⁴ In 1845 the office of county superintendent of schools was created as an ex-officio office of the county school commissioner.⁵ For his ex-officio duties as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.⁶ In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.⁷

The superintendent of schools is a statutory office, now elective for a term of four years.⁸ Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than \$12,000 to be approved by the county board or by the judge and clerk of the county court.⁹ The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.¹⁰ The board of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.¹¹

1. R.L.1829, p. 150,151.

2. Ibid., p. 152,153; L.1849, p. 155,156,159,160; L.1851, p. 130.

3. L.1831, p. 175.

4. L.1841, p. 261,262.

5. L.1845, p. 54.

6. L.1849, p. 178; L.1867, p. 161.

7. L.1865, p. 112; L.1871-72, p. 702; L.1889, p. 312; L.1909, p. 343.

8. L.1871-72, p. 702; L.1909, p. 343; L.1915, p. 628; L.1923, p. 596.

9. L.1909, p. 345.

10. L.1847, p. 126; L.1909, p. 350; L.1929, p. 745.

11. L.1927, p. 843; L.1929, p. 743.

Superintendent of Schools

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction, the State Department of Public Health, the state fire marshal, and the state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.¹

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.² Twenty years later, the superintendent of schools was required to hold the institute annually.³ A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers⁴

1. R.S.1845, p. 498,499; L.1847, p. 122; L.1849, p. 156; L.1853, p. 246, 247; L.1855, p. 66,67; L.1861, p. 190,191; L.1865, p. 119,120; L.1909, p. 347-50; L.1915, p. 636-38.
2. L.1869, p. 394.
3. L.1889, p. 312.
4. L.1905, p. 385; L.1931, p. 876.

Superintendent of Schools -
Accounts of School Funds

Accounts of School Funds
(See also entries 241, 247[v])

252. COUNTY SUPERINTENDENT'S RECORD OF DISTRIBUTIVE FUND, 1923--.
2 v.

Superintendent's account of the state distributive fund, showing names of township and treasurer, location and number of township and school districts, amounts received and expended from the distributive fund for each month of school term, and balance. Arr. by dist. no. No index. Hdw. under pr. hdgs. 50 p. 14 x 20 x 1/2. Off. of supt. of sch., 1st fl.

253. Journal, 1837--. 3 v. Missing: 1855-81. Title varies: Cash Book, 2 v., 1837-1930.

Record of school funds, including institute and state school, non-high school funds, 1931--; gas tax distribution to elementary and high schools, 1934--, showing date, amount and purpose of receipt or expenditure, names of payee, payer, and fund debited or credited to total amount of receipts and expenditures, amount of office expenses, balance available in various funds, and amount of tax distributed to each school district. Arr. by date of entry. Indexed alph. by title of fund. Hdw. under pr. hdgs. 300 p. 14 x 10 x 2. Off. of supt. of sch., 1st fl.

254. STATE TEACHERS' PENSION AND RETIREMENT FUND RECORD, 1921--. 1 v.
Record of teachers' pension and retirement fund, showing name and address of teacher, dates of school term, name and number of school district, monthly salary of teacher, total yearly salary, class and kind of certificate, total number of months in school term, and total amounts of compulsory or voluntary contributions to pension fund. Arr. by district no. No index. Hdw. on pr. fm. 250 p. 18 x 12 x 2. Off. of supt. of sch., 1st fl.

255. TREASURER'S (Teachers') INSTITUTE RECORD, 1926--. 1 v. Missing: 1889-1901. 1883-88 in Settlement Record, entry 236; 1902-25 in County Treasurer's Register of County Clerk's Reports, entry 247.

Teachers' institute records showing date and amount of fees received for registration of certificates, names of county treasurer, superintendent of schools, and teachers, date and amount of disbursement, and total balance on hand. Arr. by date of receipt. No index. Hdw. 300 p. 17 x 12 x 2. Treas.'s vlt., 1st fl.

256. COUNTY SUPERINTENDENTS' EXAMINATION BOOK, 1879-95. 1 v.
Record of examinations of school funds in each township, showing date, amount, and purpose of receipt or expenditure, names of recipient and payer, amount, and cause of indebtedness, to whom indebted, date of examination of books, signature of county superintendent, and name and number of township. Arr. by twp. no. No index. Hdw. under pr. hdgs. 145 p. 14 x 10 x 1 1/2. Off. of supt. of sch., 1st fl.

For similar records, see entry 253.

Superintendent of Schools -
School Districts; Teachers'
Records

257. LOANS FROM SCHOOL FUNDS, 1839-59, 1 v.

Record of loans from school funds, showing date, amount, and terms of loan, name and number of township lending money, name of person receiving loan, description of securities, and name of school commissioner. Arr. by date of loan. No index. Hdw. under pr. hdgs. 200 p. 14 x 5 x 1 $\frac{1}{2}$. Off. of supt. of sch., 1st fl.

For other loans from school funds, see entry 268.

School Districts

258. CLAIMS FOR STATE AID, 1936--. 4 bdl.

Claims of school districts in county for state aid, showing name and number of school district, general information, names and qualifications of teachers, and budget. Arr. by sch. district no. No index. Hdw. on pr. fm. 14 x 10 x 1. Off. of supt. of sch., 1st fl.

259. SUPERINTENDENT'S RECORD OF VISITS (Illinois Rating Sheet, County Superintendent's Field Book), 1935--. 1 v.

Record of superintendent's field visits, showing legal requirements of building, educational equipment, teacher's qualifications, whether such information conforms with state requirements for recognition, name and number of school district, and date of visit. Arr. by date of visit. No index. Hdw. on pr. fm. 200 p. 10 x 8 x 1. Off. of supt. of sch., 1st fl.

Teachers' Records

260. RECORD OF REGISTRATION OF TEACHERS' CERTIFICATES, 1897--. 19 bdl. Applications for registration of teachers' certificates, showing name and address of teacher, date, number, and kind of certificate, number of years of teaching experience in Illinois and other states, total number of years taught, school district number of present position, and number of credits earned in past year. Arr. by sch. district no. No index. Hdw. on pr. fm. 12 x 8 x 2. Off. of supt. of sch., 1st fl.

261. ILLINOIS TEACHERS' PROFESSIONAL AND SERVICE RECORD, 1926--. 2 f.b. Title varies: Teachers' Permanent Record Cards, 1 f.b., 1926-29.

Teachers' permanent record showing name, age, and address of teacher, number and kind of certificate, schools attended, salary, subjects and grade taught, teaching experience, and amount contributed to teachers' pension and retirement funds. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 8 x 10 x 6. Off. of supt. of sch. 1st fl.

262. SUPERINTENDENT'S RECORD OF TEACHERS' EXAMINATIONS, 1873--. 2 v. Superintendent's record of teachers' examinations, showing name, age, nativity, and address of teacher, date and place of examination, subjects examined in, grades earned in each, and date and kind of certificate issued. Arr. by date of examination. No index. Hdw. under pr. hdgs. 150 p. 12 x 10 x 1. Off. of supt. of sch., 1st fl.

Superintendent of Schools -
Pupil Records; Reports

Pupil Records

263. PUPILS' PERMANENT RECORD, 1926--. 2 f.b.

Record of pupils enrolled in rural and village schools, showing name, age, and address of pupil, school district number, grade in school, scholarship and attendance record, and date of school term. Arr. by sch. district no. No index. Hdw. on pr. fm. 12 x 8 x 18. Off. of supt. of sch., 1st fl.

264. RECORD OF GRADUATES, 1902--. 3 v. Title varies: Superintendent's Record of Examinations on Common School Course, 1 v., 1902-10; Record of Pupil Examinations, 1 v., 1911-20.

Lists of eighth grade graduates of county schools, showing names and addresses of graduates, names of teacher holding examination and principal, name and number of township and school district, subjects examined in and grades earned, date examination held, and signature of principal. Arr. by date of examination. No index. Hdw. on pr. fm. 75 p. 12 x 10 x 1. Off. of supt. of sch., 1st fl.

Reports

265. ANNUAL REPORT OF COUNTY SUPERINTENDENT OF SCHOOLS, 1911--. 28 v.

Annual reports of county superintendent of schools, to state department of schools, showing school census, enrollments, names of teachers, positions, qualifications, promotion of health and attendance, tax levies, annual salaries of elementary and high school teachers, district distributive and township funds, receipts and expenditures, tuitions paid, exhibits, and investments, general and financial reports, number of one-room schools, and memoranda. Arr. alph. by subject. No index. Hdw. on pr. fm. 38 p. 15 x 10 x 1/2. Off. of supt. of sch., 1st fl.

266. TEACHERS' SEMESTER REPORTS, 1935--. 1 f.b.

Teachers' semester reports to county superintendent of schools, showing health, attendance, and scholarship record of pupils, names and ages of pupils, subjects pursued, name and number of school district, date of report, and signature of teacher. Arr. by sch. district no. No index. Hdw. on pr. fm. 12 x 8 x 18. Off. of supt. of sch., 1st fl.

267. TRUANCY RECORD, 1937--. 1 v.

Reports to superintendent of school from truant officers on truancy cases, showing names of truant and truant officer, date of report, grade of school, and name and address of parents or guardian. Arr. by sch. district no. No index. Hdw. on pr. fm. 100 p. 9 x 5 1/2 x 1. Off. of supt. of sch., 1st fl.

268. TRUSTEES' ANNUAL REPORT, 1914--. 375 v.

School trustees' annual reports, showing names of school trustees and teachers, school census, district number, number of students enrolled in each school, qualifications of teachers, income from taxes and other sources, account of expenditures, and loans from school funds. Arr. by district no. No index. Hdw. on pr. fm. 12 p. 14 x 8 1/2 x 1/4. Off. of supt. of sch., 1st fl.

For other loans from school funds, see entry 257.

Superintendent of Schools - Register of School Officers; School Treasurers' Bonds; Maps and Plats

(269-272)

Register of School Officers

269. RECORD OF SCHOOL OFFICERS AND TEACHERS, 1888--. 4 v.
Register of school officers and teachers, showing names and addresses of teacher and school officer, title of office, length of term of office, school district number, yearly salary of teacher, kind of certificate, and number of months in school term. Arr. by district no. No index. Hdw. under pr. hdgs. 100 p. 12 x 10 x 1. Off. of supt. of sch., 1st fl.

School Treasurers' Bonds

270. TOWNSHIP (School) TREASURERS' BONDS, 1930--. 5 bdl., 1 f.b.
Original bonds of township school treasurers, showing names of principal, trustees, and sureties, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. Bdl. 8 x 4 $\frac{1}{2}$ x 1; f.b. 12 x 4 x 8. Off. of supt. of sch., 1st fl.

Maps and Plats

(See also entries 85[viii], 88[vii,x], 118-121)

271. SCHOOL PLATS, 1857-72. 1 v.
Plats of original school districts in Effingham County, showing names and numbers of townships and school districts, name of school commissioner, dates of survey and filing, and location, description, and boundaries of each school district. Arr. by twp. and sch. district nos. No index. Hdw. and hand-drawn. 100 p. 14 x 10 x 1. Off. of supt. of sch., 1st fl.

272. SCHOOL AND ROAD DISTRICT PLATS (School Plats), 1867--. 2 v.
(1 not numbered, 1). Title varies: School Plats, 1 v. not numbered, 1867-1900.
Plats of all school districts, showing boundaries of each district, date of plat, township and range numbers, and changes in boundaries. Authors, C. F. Kyle, Ray Siders, and Phillip Millerville. Arr. by date of plat. No index. Hdw. 1 in. to 1 mi.; 2 in. to 1 mi. 125 p. 16 x 11 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

XV. SUPERINTENDENT OF HIGHWAYS

From 1833 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Effingham County.¹ The court was empowered to locate new roads, to alter or vacate old roads, to divide the county into road districts, and to appoint a supervisor in each district.² The construction and maintenance of roads were effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty. It was the supervisors' duty to summon these men for work when road labor was needed.³

From 1849 to 1861, the county court in Effingham County had the control and supervision of public roads and bridges. The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier set up. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors.⁴

In 1861, when township organization was instituted in Effingham County,⁵ the care and superintendence of roads became the responsibility of the townships. In 1849, legislation enabling the adoption of this form of county government had provided for the election in each township of a highway commissioner and as many overseers of highways as there were road districts in the county. The commissioners at their annual meeting determined necessary action for establishing new roads and repairing, altering, or vacating old roads; the overseers of highways were then required to carry out the commissioners' instructions.⁶ This system of road control and maintenance obtained until 1913; in that year the office of superintendent of highways was first established.⁷ The boards of highway commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of

1. L.1819, p. 175; R.L.1827, p. 340.

2. L.1819, p. 333; L.1825, p. 130; R.L.1827, p. 340,344.

3. L.1819, p. 334; R.L.1827, p. 341,342.

4. L.1847, p. 111-13; L.1849, p. 65; L.1851, p. 179.

5. Township organization, adopted in 1860, but the change did not become effective until 1861.

6. L.1849, p. 212.

7. L.1913, p. 524.

Superintendent of
Highways

of Public Works and Buildings, which department examines the candidates to determine the person best fitted for the office.¹ The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent exercises supervision over township, county, and state-aid roads, and bridges and culverts in his county, and is required to perform such other duties as may be prescribed by the chief engineer of the state.²

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.³

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.
2. Maps, plats, blueprints, specifications, etc., arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.⁴

1. L.1921, p. 781; L.1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L.1913, p. 524). In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings, created in the same year (L.1917, p. 4,16,24).
2. L.1921, p. 782; L.1933, p. 961.
3. L.1913, p. 523-26.
4. Ibid., p. 525.

Superintendent of Highways - Commissioners' Records; Construction and Maintenance Records

All of the records of the superintendent of highways are kept in his office on the second floor of the courthouse.

Commissioners' Records

273. CERTIFIED COPY OF TOWNSHIP ROADS OF DOUGLAS AND LIBERTY TOWNSHIPS, 1861-99. 1 v.

Transcribed copies of township road records, showing location and legal description of roads, dates of inspection and survey, and order establishing highway. Arr. by date of inspection. No index. Typed. 100 p. 9 x 11 x 1.

Construction and Maintenance Records

Plans and Specifications

274. (ROADS AND BRIDGES), 1935--. 16 plans.

Construction plans of roads and bridges, showing description and location of construction, and specifications. Hand-drawn. 1 in. to 40 ft.; 1 in. to 100 ft. 24 x 24.

Contracts

275. CONTRACT CONSTRUCTION LEDGER, 1935--. 1 v.

Ledger of contract constructions, showing date, claim number, itemized contract costs, and distribution of costs to funds, names of contractor and bonding company, and dates of award and completion. Arr. by date of award. No index. Hdw. under pr. hdgs. 100 p. 11 x 16 x 1.

Material

276. MACHINERY AND EQUIPMENT RECORD, 1923--. 1 f.b.

Card record of machinery and equipment purchased, showing type, make, and cost of machinery, names of seller and purchaser, depreciation, amount and date of receipt, and date of purchase. Arr. by date of purchase. No index. Typed. 9 x 6 $\frac{1}{2}$ x 14.

Labor

277. WORKMENS' TIME CARD, 1935--. 4 f.b.

Workmens' time cards showing name of employee, date and type of work performed, number of hours worked, rate of pay, and total amount earned. Arr. alph. by name of employee. No index. Hdw. on pr. fm. 5 x 4 x 20.

Superintendent of Highways -
Allotments and Claims; Warrants

Allotments and Claims

278. MAINTENANCE COST LEDGER - MOTOR FUEL FUND, 1935--. 1 v.

Motor fuel tax maintenance cost ledger showing route and claim numbers, name of account, distribution of fund and maintenance, total amount of payment, and balance available. Arr. by date of payment. No index. Hdw. under pr. hdgs. 150 p. 11 x 17 x 1 $\frac{1}{2}$.

279. MAINTENANCE COST LEDGER, STATE AID FUND, 1935--. 1 v.

Ledger of state-aid highway maintenance costs, showing name of township, number, date, and amount of claim, and cost per township for roads and bridges. Arr. alph. by name of twp. No index. Hdw. on pr. fm. 125 p. 11 x 16 x 1.

280. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1935--. 1 v.

Accounts of motor fuel tax allotments, showing date and amount of allotment received from motor fuel tax, amounts distributed for road purposes to each township and district, total amounts distributed, and balance available. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 200 p. 9 $\frac{1}{2}$ x 12 x 2.

281. STATE AID AND MOTOR FUEL TAX CLAIMS, 1935--. 3 f.d.

Motor fuel and state-aid claims, showing purpose, number, date, amount, and description of claim, name, address, and affidavit of claimant, approval, and signatures of claim committee and superintendent of highways. Arr. by date of claim. No index. Typed on pr. fm. 14 x 11 x 24 - 16 x 11 $\frac{1}{2}$ x 22.

282. CLAIM REGISTER - MOTOR FUEL FUND, 1935--. 1 v.

Register of claims against motor fuel tax funds, showing name of fund, number, date, and amount of claim, location and description of service, and name and address of claimant. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 75 p. 11 x 17 x 1.

283. CLAIM REGISTER STATE AID FUND, 1935--. 1 v.

Register of highway claims, showing date and number of claim, purchase and requisition numbers, date, amount, and purpose of requisition, amount and number of claims charged each township and school district, and total amount of claims. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 200 p. 11 x 17 x 2.

Warrants

284. COUNTY HIGHWAY WARRANTS CANCELLED, 1935--. 1 v.

Register of warrants returned and cancelled, showing name of fund issued against, date, number, and amount of warrant, date of cancellation, and name of bank. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 50 p. 11 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x $\frac{1}{2}$.

Superintendent of Highways -
Reports; Surveys; Correspondence

Reports

285. TOWNSHIP REPORTS, 1930--. 1 f.d.

Reports from township highway commissioners on roads and bridges, showing costs of construction, right of way, and maintenance, dates, and amount of cost of construction. Arr. alph. by name of twp. No index. Typed. 14 x 11 x 24.

286. COUNTY TREASURER'S MONTHLY REPORT, 1935--. 1 v.

Copies of treasurer's monthly reports on highway funds, showing date, name of fund, amount of allotment, balance forwarded, itemized monthly disbursement, and balance on hand. Arr. by date of report. No index. Hdw. on pr. fm. 200 p. 8 $\frac{1}{2}$ x 11 x 1 $\frac{1}{2}$.

Surveys

287. (FIELD BOOKS), 1930--. 19 v.

Record of notes and drawings of surveys of roads and bridges, showing location and description of work, specifications, and remarks. Arr. by date of entry. No index. Hdw. 80 p. 7 x 5 x $\frac{1}{2}$.

Correspondence

288. STATE AID AND MOTOR FUEL TAX (Correspondence), 1913--. 1 f.d.

Correspondence to and from state highway department regarding motor fuel tax, state-aid roads, and other highway matters, showing name of superintendent, date, name and address of correspondent, and nature of correspondence. Arr. by date of correspondence. No index. Typed. 14 x 11 x 24.

XVI. SURVEYOR

The office of surveyor was first established in Illinois in 1821; the incumbent was an appointee of the General Assembly.¹ During the recess of the legislature, nominations were made by the county commissioners' court to the Governor.² From 1835 to 1936, the county surveyor was an elected officer of the county electorate.³ Since September, 1936, he has been an appointee of the county board. His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office.⁴

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainman subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.⁵

For record of plats made by the surveyor, see entry 119.

1. L.1821, p. 62; R.L.1829, p. 172; R.L.1833, p. 591.
2. Ibid.
3. L.1835, p. 61, 166; R.S.1845, p. 523; R.S.1874, p. 456, 1050; L.1903, p. 349.
4. L.1933, p. 1104. Effective in 1936.
5. L.1821, p. 63, 64; R.L.1829, p. 173; R.L.1833, p. 591-93, 599, 600; L.1845, p. 201; R.S.1845, p. 524; R.S.1874, p. 1050; L.1885, p. 248; L.1915, p. 575; L.1933, p. 1104.

XVII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.¹ This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.²

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to rules and regulation of, and removal by, the state agency.³

This officer has power and it is his duty to:

1. Have charge and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.⁴

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

1. L.1935-36, First Sp. Sess., p, 70-73; L.1937, p. 451.

2. L.1937, p. 451,452.

3. Ibid., p. 452.

4. L.1935-36, First Sp. Sess., p. 72; L.1937, p. 452.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,¹ the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.² Today, the Federal government pays to Illinois, one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.³ Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.⁴

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.⁵

289. (CASE FILES), 1936--. 4 f.d.

Active, pending, and closed case files of old age assistance, including applications, affidavits, proof of citizenship, age and residence, personal, financial, and occupational particulars, investigator's reports, and recommendations and awards. Arr. by case no. For index, see entry 290. Hdw. on pr. fm., typed, and typed on pr. fm. $8\frac{1}{2} \times 10\frac{1}{2} \times 24$. Off. of old age assistance, 2nd fl., Jansen Bldg., 109 W. Jefferson St.

290. INDEX TO CASES, 1936--. 2 f.b.

Card index to (Case Files), entry 289, showing name of applicant, case number, dates of application and investigation, and amount of award. Arr. alph. by name of applicant. Typed. 4 x 6 x 12. Off. of old age assistance, 2nd fl., Jansen Bldg., 109 W. Jefferson St.

1. 49 U.S.L. 620.

2. L.1935, p. 260.

3. L.1935, p. 259,260; L.1935-36, First Sp. Sess., p. 54,55; L.1937, p. 265.

4. L.1935-36, First Sp. Sess., p. 57-59; L.1937, p. 267,268.

5. L.1937, p. 268,269.

XVIII. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.¹ County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.²

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement showing the average number of persons kept in the poorhouse each month during the year.³

1. L.1919, p. 699; L.1935, p. 1058.

2. L.1839, p. 139; R.S.1845, p. 404,405; L.1861, p. 180; R.S.1874, p. 757; L.1917, p. 638,639; L.1919, p. 698,699; L.1935, p. 1057,1058.

3. R.S.1874, p. 758.

291. REGISTER OF INMATES, 1917---. 1 v.

Register of inmates at county farm, showing name, age, and marital status of inmate, names of township and relatives, dates of entry and discharge, and remarks. This register also contains a record of produce of the farm with a journal of accounts, showing amount of produce raised, used, and sold. Arr. by date of entry. No index. Hdw. 250 p. 12 x 9 x 1. Off. of supt., 1st fl.

XIX. FARM BUREAU

Effingham County farm bureau was organized on July 15, 1918¹ to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois College of Agriculture in its program of extension education and farm studies, and to work with farm leaders in establishing such organizations as 4-H clubs and Dairy Herd Improvement Associations.

In 1914, Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.² The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal government.³ The General Assembly assented to this act by a joint resolution which authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the College of Agriculture of the University.⁴

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.⁵ The money was appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state, to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty percent of which was to be utilized for the payment of salaries of extension agents in counties of the several states.⁶

1. Miscellaneous Records (Recorder), v. 130, p. 529, soc entry 88.
2. 38 U.S.S.L. 372.
3. Ibid., 373.
4. L.1915, Joint Resolutions, p. 732.
5. L.1917, p. 85.
6. 45 U.S.S.L. 711.

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FEDERAL WORKS AGENCY
WORK PROJECTS ADMINISTRATION
OF ILLINOIS

CHARLES E. MINER
ADMINISTRATOR

500 North Dearborn Street
Chicago, Illinois
January 21, 1941

Dr. Theodore C. Pease
Department of History
University of Illinois
Urbana, Illinois

Dear Dr. Pease:

We transmit herewith one copy of the Inventory of Effingham County (No. 25), the twenty-sixth volume of our county inventory series.

No acknowledgment of the receipt of this publication of the Illinois Historical Records Survey is required, but criticisms and suggestions are desired and will receive careful consideration. These should be addressed to Mr. Charles E. Miner, State Administrator, Work Projects Administration, 222 West North Bank Drive, Chicago, Illinois.

The Survey looks forward to your continued interest in its work.

Very truly yours,
Thomas R. Hall

Thomas R. Hall
State Supervisor
Illinois Historical Records Survey

TRH:sf
Encl.



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